Peddling Dangerous Drugs Abroad *Stanford Sesser*

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The President Is the Problem

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Burden of The Berrigans

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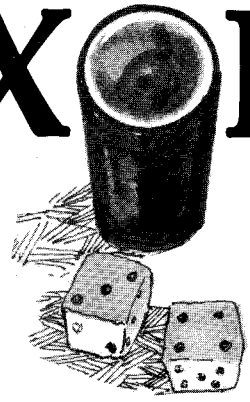

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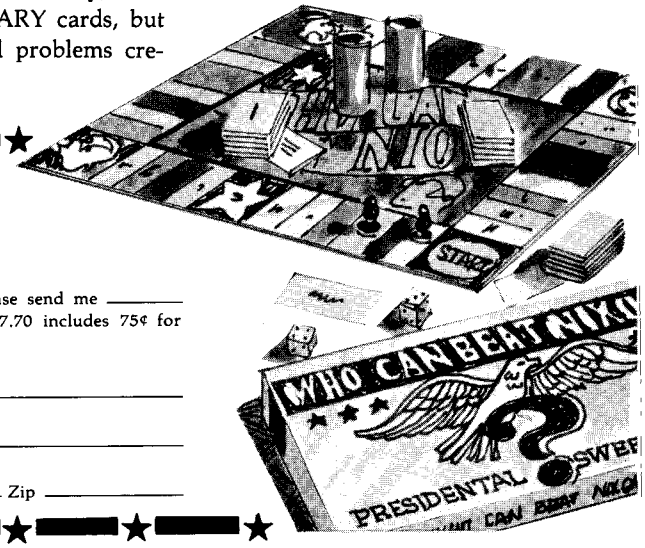

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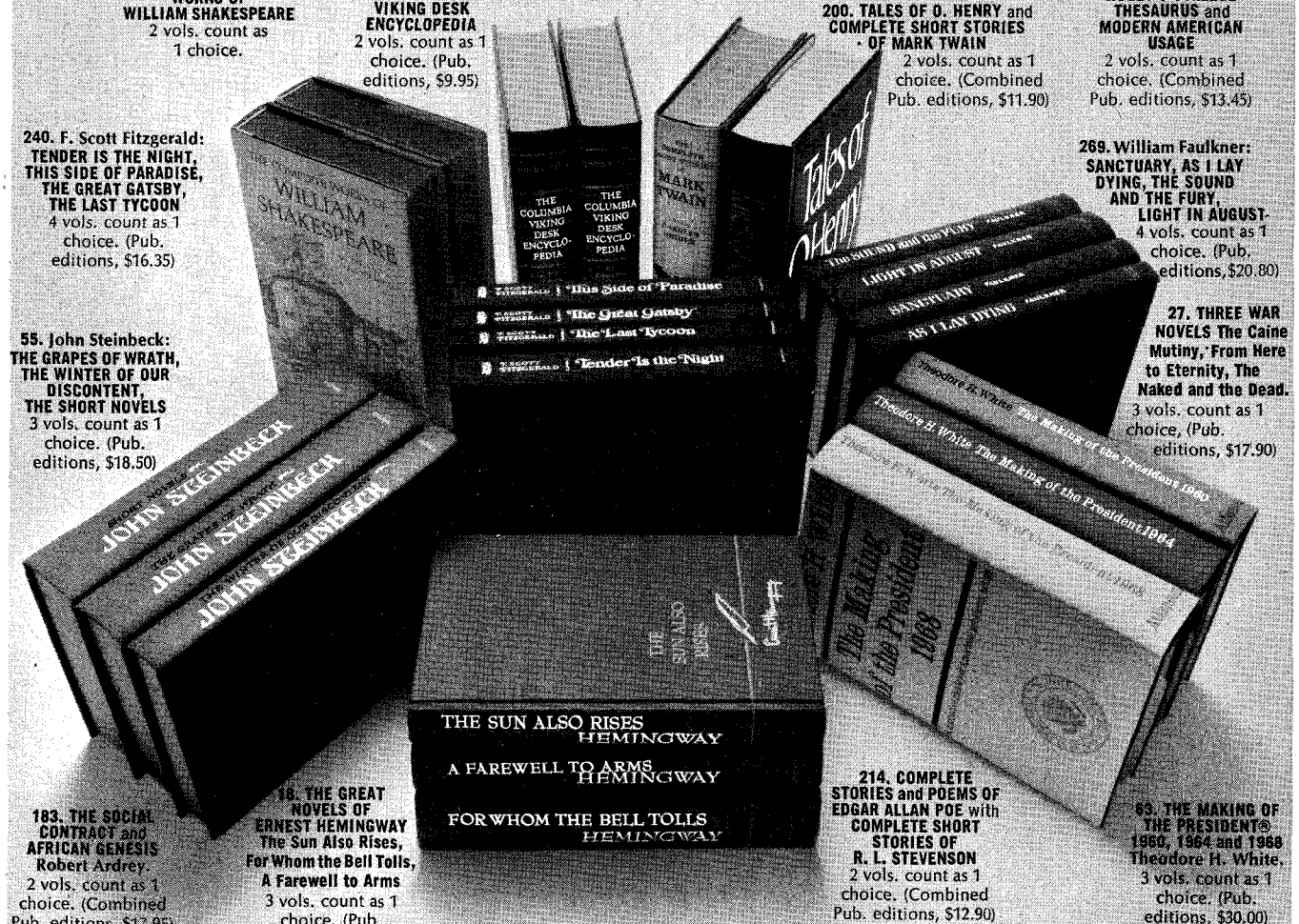

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from Washington

Sights and Sounds

Spring in Washington and new sights: some amusing, others less so.

For example, when Sen. Griffin (R, Mich.) forgets that he is wired for sound and starts to walk off the Senate floor with his electric leash still clipped. It lets him go 11 feet and then jerks him back and is like to tear off his coat. Nonplussed for a moment he starts in the other direction and gets more entangled.

Maybe you didn't know it; the Senate has installed a "speech reenforcement system" with a loudspeaker beneath each desk and a retractable reel of wire putting 100 elderly senators on dog leashes. At the end of the wire is a mike that can be tucked into breast pocket giving free play for gestures of viewing with alarm or pointing with pride.

Dozens of loudspeakers are scattered in the galleries making reporters jump when they think Strom Thurmond is whispering in their ear. Trouble is, senators can't seem to adapt; calling a rival "distinguished gentleman" is one thing, but wrestling with a wire is another. The two worst mumblers, Clinton Anderson and John Sherman Cooper, won't use the new $125,000 system. Another problem: senatorial forgetfulness. Sen. Javits yields the floor, forgets to unplug himself, and carries on a conversation with a secretary that stops being sotto voce on the air waves and mingles with the next speaker like an overlapping radio station. What it will do to ambulatory talkers nobody knows; former New York Senator Royal C. Copeland used to have his afternoon constitutional and senate speech simultaneously. Observors watch with sporting interest: "Somebody will hang himself some day," says a reporter hopefully.

The Senate is in a six-week filibuster. Meanwhile sideshows go on. There is a confrontation between top-drawer, Boston Brahmin, Elliot Richardson, head of HEW, and Edward Kennedy, of the newer, more powerful Massachusetts Irish aristocracy. The issue is health insurance: shall it be handled by big private insurance companies (Richardson), or under social security (Kennedy)? One way or the other, America is going to get a national health program at last; it can't be stopped. Meanwhile it is a study to watch the two suave, handsome New Englanders sparring politely and each remembering that the other is a Harvard man. For two hours they threw broad "A's" at each other. . . .

Another kind of senatorial witness is Arthur Burns, head of the Fed. He has cranky congressmen eating out of his hand. How does he do it? I think he hypnotizes them.

He sits without staff in the well of the hearing room. He takes out his curved pipe, thoughtfully loads it and puts the zippered pouch beside him. As questions begin his hand moves for the pipe. The other hand moves for a paper of matches. He does not take his eye off the questioner.

He gets a puff. Everyone sighs in relief. Then the pipe is set in the amber ash tray on the table, beside the tumbler and bedewed ice pitcher. There is a cameraman kneeling in front. Behind the cameraman there is a stenotypist wearing sunglasses, frothy scarf and dark dress pulled so far above the knees that it would have stopped proceedings 20 years ago. Burns is oblivious.

His white mane of hair has Pomeranian wisps waterfalling down a high forehead; thick glasses and beak nose. His voice is, calm, certitudinous, with a kind of measured monotone, as though he were deliberately restraining emotion. Senators gape at his virtuoso performance. There is humor but it is almost lost in print: yes, he says, the economic situation is grave: "We may be approaching an emergency (pause) and in the dark hours of the night (pause) I even think we may come to wage-price controls (pause) but when I wake in the morning and have a cup of coffee (long pause) I am able to reject the idea." Titter. Burns' hand reaches for pipe.

In the Senate the filibuster drags on. The question is almost metaphysical: should cloture be applied on a three-fifths vote (60) rather than the present two-thirds (67)? A group of impetuous Senate youngsters of 50 or 60 are trying to speed things up. As I listen in the press gallery. I read a report on awful housing conditions in rural America, compiled by George McGovern's subcommittee.

Congress has passed five housing reform laws in 33 years, promising "a decent home for every American family." To do that, McGovern says, would require 1,500,000 new homes a year. Actually public housing is achieving only 100,000 units a year.

The harangue below goes on. A survey in Mound Bayou, Miss. shows 3 of every 10 units have piped water; 1 in 4 a bathtub or shower; 7 of 10 outhouses; and only half have heat for the entire house.

On the Senate floor Senate Dole is warning against a cloture change which might, he says, promote "hasty decision and rash action." Well, it hasn't produced rash action on housing.

The government demolished as many houses in the sixties, the report says, as it built. Washington subsidized some low-rent homes but paid out five times more in "hidden subsidies" to middle- and upper-income families in tax deductions for mortgage interest, property taxes, and depreciation. McGovern is unhappy about it; he's never satisfied.

Things seem more cheerful at the other end of Pennsylvania Avenue. Spring is coming, tra-la – out-of-town cars, snowdrops, nesting birds. But not nesting round the White House. They have activated the starling squawk-box. It is 50-feet up, in an oak, over the guard house. The amplifier keeps uttering cries of a tortured bird in distress, from a tape recording. It rises and falls eerily if your ear is tuned to it. "Quite a trick, eh?" says the guard.

Yes, though sometimes it's a little disconcerting. Almost human. Suppose somebody had used a mike at Mylai and got the noises of the unresisting old men, women and babies tossed into a ditch and then shot: "gooks" and "ginks" and "slopes" and creatures of that sort. There would probably have been some moaning before they died, with an occasional shriek, perhaps.

"Quite a sound, eh?" says the good-natured guard.

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Policy and Performance

Mr. Nixon's second annual review of foreign policy runs about as long as *Love Story* and reads well, on the whole. There's a hole in the whole, which we shall examine later, but first it should be said that in general the report thoughtfully describes the present world and our place in it. Americans can and should do many things, but not everything. There must be an "accommodation to diversity"; we ought to welcome "the creative possibilities of a pluralistic world"; times have changed. Thus, referring to the Atlantic Community, the President notes the "transition from American predominance to a more nearly equal partnership." We have not the right, the power, or the desire to fashion the world in our image. "Communist threats" still abound, but the "Communist World is not what it was [and] our relationships to the different parts of that world are thereby inevitably altered"; there are "new opportunities for improving relations." Treaty commitments will be honored, and non-nuclear countries will not be left "defenseless against nuclear blackmail or conventional aggression backed by nuclear power." But "nothing we can do is an adequate substitute for a government supported by its own people and for a nation unified and determined to defend itself."

Europe remains the "cornerstone" of the "structure of peace." But since this is not 1945 or even 1965, Europe's "cruel and unnatural division . . . is no longer accepted as inevitable or permanent. Today, there is growing impatience with confrontation. We and our allies seek a European detente." The interests of European nations and of the US may not always be identical, but "East-West detente and Western cohesion can be mutually supporting if the Alliance consults thoughtfully to strike a balance between individual and common interests." Gone is the rhetoric of roll back or liberation of captive peoples. "We will not pretend," the President says, "that the facts of history and geography do not create special circumstances in Eastern Europe." Yet those facts need not prevent a widening of East-West contacts, or the extension of US guarantees to American private investment in Romania and Yugoslavia. America's long-standing readiness "to employ nuclear retaliation in defense of NATO . . . remains central and necessary to allied security," and the President anticipates no reduction of US troops in Europe unless there is "reciprocal action by our adversaries." But he does not rule out that possi-

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bility: "Mutual restraint, accommodation of interests and the changed strategic situation [we no longer have superiority] open broad opportunities to the Soviet Union and the United States." He means, specifically, the opportunity to end tension over Berlin, agree on mutual reduction of military forces (especially in Central Europe), limit arms shipments to the Middle East; and bring the "competition in strategic weapons under control."

Observations on the Sino-Soviet dispute are discreet: "We will do nothing to sharpen that conflict – nor to encourage it." China should be drawn "into a constructive relationship with the world community, and particularly with the rest of Asia." The door to the United Nations, including membership on the Security Council, is open to Communist China, provided only that the Republic of China [Taiwan] is not excluded from the UN or its specialized agencies.

The President views calmly the existence of different social systems in the Western Hemisphere (though he raises an eyebrow at Chile's resumption of diplomatic ties with Cuba): "We deal with governments as they are. Our relations depend not on their internal structures or social systems, but on actions which affect us and the Inter-American system." Skipping across the Atlantic, he says at another point: "It is not for us to attempt to set the pattern of relationships among the states of Africa," though he recognizes that "colonialism and racial injustices in southern Africa continue to frustrate the African sense of fulfillment." He wants a larger proportion of US aid to go through "multilateral and private investment channels. . . . The US assistance program will be designed to realize the full potential of this broader sharing of responsibility – with the developing countries themselves, with the other industrial nations, and with multilateral organizations."

"I know that's the shortest way home, but the world is round."

Then comes the hole – Indochina – and it's a big one! Fighting has spread to Laos and Cambodia, and US bombing of the North has been resumed. But we're "winding down the war." We're where we are, because "outside interference" has to be thwarted – as though it were the North Vietnamese and the Vietcong who were the intruders, and not the Americans. And then the whopper: "Since 1968 the US has done almost everything that various parties – including Hanoi – told us would kindle negotiations." Everything but encourage the formation of a negotiation-minded government in Saigon; everything but fix a date by which all US forces will have been withdrawn. On those points the President is adamant. Total withdrawal is never mentioned. Nor does he bother to claim that "Vietnamization" will end the conflict, but if it doesn't, it won't be our fault: "If Vietnamization leads to perpetuating the war, it is not by our design, but because the other side refuses to settle for anything less than a guarantee to take over." That is how Mr. Nixon misreads Hanoi's proposal for an interim coalition government in Saigon.

Finally, an arresting statement is made: "Despite heavy losses, the North Vietnamese have the manpower, the logistical network *and the dedication* [italics added] to continue the fighting if they wish." Is it not reasonable to assume they *will* continue? How, then, "do we protect those [US] forces who remain"? Why, "the South Vietnamese and the impact of the sanctuary sweeps are sufficient to handle possible threats." And if they are not, "I would take strong and effective measures to prevent the enemy from jeopardizing our remaining forces." "Remaining forces" means around a quarter of a million US troops, who will stay in Indochina after the withdrawals contemplated for this spring. Winding down the war? Winding it down by stronger and more effective measures? Such as what?

So having begun by commending most of the policies in the President's annual review, we are obliged to end by questioning his performance. The sweeping *tour d'horizon* is fine, but while the guide's pointing out the scenery, our leg's being chewed off. The problem with Mr. Nixon is always the same – the gap between rhetoric and results. The test of his dedication to "peace," to "accommodation to diversity," is not in the saying of it, but in the demonstrating of it – in Indochina.

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Half a Hope

At first it seemed as if Egypt's public declaration of willingness to conclude a "peace agreement with Israel" cleared the way for talks leading to a Middle East settlement. The UAR's reply to UN envoy Gunnar Jarring was hailed as a "historic breakthrough," and Israel thereupon stated its "readiness for meaningful negotiations on all subjects relevant to a peace agreement between the two countries." So far, so good. But within 48 hours, General Assad, the premier of Syria had said that the outcome of the Arab-Israeli conflict would in the end be determined by "force of arms." Until very recently, every Arab regime, whatever its political coloration, has clung resolutely to three "noes" – no negotiations, no recognition, no peace with the Jewish state.

The UAR's primary interest is the return of territories; the primary Israeli interest is security from attack, external or internal. The UAR demands prompt and complete Israeli pull-back from all occupied Egyptian areas; the Israelis say they "will not withdraw to the armistice lines of June 4, 1967; that is, the eve of the Six-Day War." And while the UAR wants repatriation or compensation for all Palestinians who left Israeli territory in the wars of 1948 and 1967, the Israelis speak only of compensation and *limited* resettlement – limited to numbers which would not jeopardize a Jewish majority.

It is interesting to speculate why Cairo accepted the idea of an agreement with Israel. In the weeks following the death of Nasser, President Anwar Sadat's attitude had been anything but conciliatory. But about all the tough talk accomplished was to alarm Moscow. Soviet leaders may be willing to continue assisting Egypt economically and militarily, and even prevent Egypt's collapse if there is another round of fighting, but the Russians want no confrontation with the US in the Middle East. Moreover, nothing has happened to alter the Russians' rather poor opinion of the military capabilities of their protégés; another Egyptian defeat would look too much like a Soviet defeat; and a defeat would be especially inopportune now, on the eve of the Soviet Party Congress. Since the Egyptian collapse in 1967, the Soviets have been counseling Cairo to put first things first, the first being the regaining of lost territories. If that requires a treaty, a "peace agreement," well, the Ten Commandments were once smashed in Sinai, though engraved in stone. Treaties are less important than territories. This view is said to have been pressed again by Nikolai Podgorny, when he traveled to Egypt recently to participate in ceremonies marking the completion of the Aswan Dam.

President Sadat will not find it easy to stand by his new line. The prospect of an "agreement" has already raised a storm in other Arab countries, and among Palestinian guerrillas who see his reply to Jarring as a cop-out and a hint of Egyptian willingness to make a separate peace. The terms of any possible territorial settlement will inevitably be influenced by how firmly Washington is committed to Secretary Rogers' plan, which calls for Israeli evacuation of practically all Egyptian territories (but possibly not from the Gaza Strip, which came under Egyptian control only as a result of King Farouk's attempt to prevent the creation of a Jewish state in 1948). Will Washington, for example, object to Israel's holding on to Sharm el Sheikh, which controls navigation to the Gulf of Aqaba? With the Rogers plan in his pocket, Sadat hopes the State Department will enable him to restore pre-war boundaries, allowing only for "minor changes." In turn, the Israelis will try to persuade Washington that a return to the 1967 borders is no solution, because these borders were neither recognized nor safe.

Assuming that negotiations stay on the track, and that the cease-fire will again be extended beyond the new Egyptian deadline of March 7, there remains the problem of Jordan, whose king last week remarked that he was "still in the dark" about the future of territory formerly under Jordanian sovereignty. Hussein wants the west bank and the eastern part of Jerusalem. Vexing as the problems of the Suez Canal or of Sharm el Sheikh are, the problem of Jerusalem, to which Jordan is inextricably bound, is more difficult. And what about the Syrians, who want the return of the Golan Heights, from which they repeatedly shelled Israeli settlements prior to the Six-Day War, with no risk to themselves? At present, such questions are beyond the scope of the Jarring talks.

Advertising Nutrition

A food industry axiom has it that people will not buy a product unless it looks and tastes good. Nutrition, as a selling point, comes in a poor third. The cereal manufacturers Robert Choate attacked last year for merchandizing empty calories in their breakfast foods claim to believe that a product promoted on the basis of nutrition alone will not sell. The food processors say that they themselves care about nutrition even if their customers don't, and accordingly industry tends quietly to good health while pushing in advertising other things like premiums on cereal boxes, toys, sugar coating and such.

There's an element of truth in the industry's belief. When the Pillsbury Company, with the help of a US Office of Economic Opportunity contract, test-marketed in Chicago a specially enriched flour designed to provide undernourished poor people a cheap source of

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protein otherwise lacking in their diets, it didn't sell well enough to be worth marketing nationally from Pillsbury's self-interested standpoint. Market research indicated that the relatively few people who bought the flour thought it would be spectacularly different, not merely more nutritious, and they were disappointed. Advertising nutrition simply did not work.

Only one subgroup in the population – persons of middle age – are thought to be sufficiently preoccupied with good health to buy products advertised on the basis of nutrition. The major market for high-protein cereals such as Product 19, Total and Special K, is older people hoping to "stay on the young side." Children, for whom nutrition is more crucial, are conditioned by TV advertising to want the least nutritious cereals and snacks.

Choate, and a number of studies indicating that Americans of all ages and classes are undernourished, have caused the food industry in certain instances to beef up products and to devote a fraction more of their advertising to nutrition. Hostess (the food subsidiary of International Telephone and Telegraph), which makes cupcakes and other snack items, is prominent among the companies that are now advertising vitamin and mineral fortification. Giant Foods, one of the four dominant retail food chains in the Washington, DC area, recently announced an experimental project in which it will label several of its store-brand products with nutritional information. Labels will reveal how close a food comes to providing the adult Recommended Daily Allowance of protein, vitamins, and minerals and, in addition, labels will include the percent of fats and carbohydrates. Giant, which now employs Esther Peterson, the consumer advisor to former President Johnson, plans ultimately to expand nutrition labelling to all foods. (The National Canners Association, whose members pack 90 percent of canned foods, thinks such labelling is unnecessary, irrelevant to buying habits conditioned to taste and to price but not nutrition, and likely to add to consumer costs.)

Ralph Nader, the Federal Trade Commission and others have recently called into question the truthfulness of such nutritional claims as are made for products like Hi-C (a Vitamin C fortified fruit drink), Ocean Spray Cranberry Juice Cocktail, Carnation Instant Breakfast and Wonderbread. So while there is too little information available, what there is apparently is incorrect. An objective, reliable, mandatory nutrition labelling of foods would do much to relieve the confusion we all have about nutrition.

Until recently the food industry and, particularly, the US Department of Agriculture have contented themselves with expensive but worthless educational campaigns stressing the importance of eating a balanced diet including the Four Basic Food Groups. Robert Choate, in his capacity as chairman of the Council on Children, Media and Merchandising has criticized such nutrition "education." Choate recommended last month that the government and industry adopt a "code for advertising edibles to children" that would require that advertising state the "true ingredients and major nutrients in food," that would ban false claims of nutritional superiority as between products, and that would prohibit advertising nutrients when they are not contained in significant quantity in a product. Furthermore Choate would limit the number of food ads on television during hours when children are likely to be watching, de-emphasize advertising of sugar and sweetness and require that when sugar is a selling point, advertising contain as well a statement of caloric content and a warning about tooth decay. He'd require that prizes and premiums be advertised only when they make a "positive contribution to the child's physical health." In short, he wants to take all the seduction out of television commercials.

Choate may have slipped off the right track by suggesting detailed advertising reforms that go considerably beyond the objective of full and truthful nutrition information. Food advertising is not pornography. But the points he makes are less important than that the government and industry begin formulating a code of some sort which would educate us about what we are buying and swallowing.

Hancock County

The New Republic erred (January 15 and January 30) in calling Greene County, Alabama, the first bi-racial county in the country with a predominantly black government. Hancock County, Georgia, in the heart of the black belt, where plateau turns to plain, has quietly been keeping pace with Greene in the black takeover of power.

The tiny population of Hancock County (less than 10,000) is over 80 percent black, but it was only four years ago that Negroes penetrated the county courthouse. A Southern baroque affair with a dowdy upstairs courtroom and ten-foot doors hanging off their hinges, this Faulknerian edifice today houses a black Judge of the Ordinary and the Superior Court clerk. Blacks hold two of three seats on the county commission and three of five on the school board (including both chairmanships). The school superintendent and tax commissioner are white, but only because their jobs are not up for election until 1972. The only elective office blacks have no plans to storm, oddly, is that of sheriff.

Sheriff J. T. "Slim" Walton, a white, has dispensed justice with such an even hand over the past 19 years (first as deputy, later as sheriff) that the black leadership will not oppose him. "Slim's a reasonable man," explains Judge of the Ordinary Edith Ingram. "He

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helps a drunk rather than throwing him in jail all the time and just creating hundreds of cases." Sheriff Walton has one white and one black deputy and a score of other black deputized volunteers. This posse-sized contingent (ever heard of a black posse?), carrying a wild assortment of sidearms, was sworn in at the height of desegregation demonstrations last fall by Judge Ingram. Miss Ingram also controls the issuing of gun licenses and has thus ended the traditional minority dominance of white over black in the Southern outback simply by reversing the preponderance of firepower. Judge Ingram herself keeps one pistol in her office, one in her car and two at home; she says she knows how to use them all. Yet only once have shots been fired in anger in Hancock, with no known casualties. "We got better people and more guns," grins John McCown, an articulate Atlanta-trained civil rightser who is de facto boss of the black movement in the county. "We're smarter and we're meaner." The blacks strut a lot, the whites scowl. The blacks have organized their own two-way radio network, with six base stations and fifteen mobile units; they fairly dare the State Patrol or Ku Klux Klan to start something in Hancock County.

Since the twenties, the county's economy, dependent on unprofitable pulpwood, has been moribund and the population in decline. To fight poverty, McCown's people have initiated an astounding variety of foundation-funded enterprises, umbrellaed under the East Central Committee for Opportunity. The most daring is a catfish farm already stocked with 600,000 fish, with a hatchery under construction which will produce and sell to smaller farmers upwards of 40 million fingerlings annually. The project, valued at $3 million, also includes a service station (where co-op members get a two cent discount per gallon), a concrete block plant, a small grocery store soon to be expanded into a cooperative supermarket, and a movie house.

The whites in Hancock, outnumbered they are, have turned silent and angry and inward. Most of their children attend all-white John Hancock Academy instead of the public schools. Since they still control the town of Sparta, whites in store fronts openly insult outside reporters. The white-owned bank has begun refusing credit to blacks who demonstrated for a unitary school system last fall, and accelerated loan payments for others. John McCown and another black county official were forced to go to an Atlanta agency to obtain their bonds of office. Recently, the Georgia Bureau of Investigation has been photographing election records in Judge Ingram's office and interviewing first-time black (and some white) voters in what the Negro leadership calls an intimidation tactic.

"The sad thing with this community," says McCown, "is that the majority of the whites mean well but they are *silent*. They let a dozen bad whites hold them back economically by saying 'nigger, nigger.'"

Turning Off Hardhats

The "emergency" suspension of the Davis-Bacon Act is a slap at organized labor, doesn't satisfy industry, and will do little if anything to stop rising costs in the construction industry. Davis-Bacon, enacted in 1931 to prevent government contractors from slicing at wages and working conditions, requires that union scale wages be paid on government projects, whether or not the laborers employed belong to unions benefiting from collective bargaining. The President said last week that all too often this means that the Labor Department must set wage rates equal to the *highest* settlements won by unions in any given geographical area – running currently to increases of 18 percent annually. With the suspension of Davis-Bacon, non-union contractors theoretically could pay workers as little as $1.60 per hour and by thus reducing costs underbid union contractors paying $7 hourly wages. With 11 percent of construction workers currently unemployed and lacking other options, crafty contractors will be able to play the field.

The Davis-Bacon Act applies to about $25 billion in government construction contracts – nearly one-third of the $90 billion industry. Suspending the act, the government contends, will have no direct effect on the majority of workers, since they still are protected by union contract minimums. The intent rather is to indirectly temper wage increases won by the unions. (Roughly 1400 contracts expire this year.) The 3.5-million hardhats heretofore courted by Mr. Nixon are unlikely to leaven their demands, when it is plain to them that the President has singled them out for sacrifice. As the unions point out, suspending the law has no effect on sundry other causes of inflation, including increases in the cost of materials, land costs, interest rates, and most especially profits. There is no guarantee whatever that the diminished cost of labor, to the extent that it diminishes, will reflect itself in anything but augmented industry profits. Nor does suspending Davis-Bacon affect government contract laborers in the supply and service industries for which the Walsh-Healy and McNamara-O'Hara Acts provide prevailing-wage guarantees like those of Davis-Bacon.

The construction industry thinks poorly of President Nixon's action because it was not, in their view, sweeping enough. Industry would have preferred a wage freeze. William E. Dunn, the executive director of the Associated General Contractors, is quoted as saying, "Any hope that this will stop runaway inflation is completely out of the question."

The President, however, hopes that his order will have a "psychological" effect and serve as an earnest of his toughening anti-inflation stance. But Secretary of Labor James Hodgson, who briefed reporters on the suspension, had said a month earlier that it "wouldn't help."

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Constitutional Blackmail

Several years ago Sen. Everett Dirksen attempted to bring to life a dormant clause in the Constitution which permits two-thirds of the states to petition for a convention to amend the Constitution. Working quietly, Dirksen and his allies came within a hair of lining up the necessary 34 states. Their primary goal was to head off a one-man-one-vote reapportionment of state legislatures, but many of those engaged in the effort had their eye on more radical revision of the Constitution and the Bill of Rights. Now another well-coordinated movement is afoot to petition for a Constitutional convention. It is backed by liberals and conservatives and has picked up a solid head of steam. Its ostensible intent is to provide, via Constitutional amendment, for the sharing of federal revenues with the states, or failing that, to blackmail Congress into enacting a revenue-sharing plan by statute.

The backbone of the movement is a group of influential state legislators of both major parties. Last spring, the executive committee of the National Conference of Legislative Leaders met in Biloxi, Mississippi, and agreed that drastic measures were needed to bring about a redistribution of federal income taxes. They came up with the idea of threatening Congress with a Constitutional convention. "We begged and entreated Congress to do something about revenue sharing," says Florida Speaker Richard A. Pettigrew, a key leader, "and the only response was some cursory hearings in the Senate."

In November the lawmakers met again in San Juan. Since then resolutions calling for a Constitutional convention have passed the legislatures of nine states (New Jersey, Louisiana, Iowa, Delaware, New Hampshire, West Virginia, Arizona, Florida and Rhode Island), cleared the lower houses of Pennsylvania, Georgia and Washington, and been introduced in several others. All this has happened with almost no publicity and little consideration of the risks involved.

The principal danger is that a national convention called for the purpose of proposing a revenue-sharing amendment could initiate any number of Constitutional alterations. Given the present mood of the country, it is not inconceivable that the Bill of Rights would emerge from such a convention in mutilated form. Of course, any amendments proposed by a national convention would have to be ratified by three-quarters of the states, and this is cited as a safeguard against hot tempers. But no one can say what might happen if a full-dress Constitutional convention got started. Article V of the Constitution is uncommonly vague on the subject, there is no historical precedent to go by, and no relevant congressional legislation has ever been passed.

The more moderate supporters of the burgeoning movement such as Oregon's governor Tom McCall, explain that they don't really want a Constitutional convention, they just want to prod Congress on revenue sharing: "It's simply a case of the people taking the initiative when their elected officials have failed to act." But it isn't that simple. Many states are approaching bankruptcy and are barred by legal or political considerations from increasing taxes, but revenue sharing, however urgent it may seem from the state house perspective, is not the only, and probably not the best, way to meet their needs. At any rate, the benefits of the plan are not so self-evident that they justify risking a Constitutional debacle. While most of the legislators backing the calls to convention may only be bluffing, there are some which would relish a convention and are riding revenue sharing piggy-back, to go other places.

Senator Sam Ervin (D,NC) has introduced legislation that would carefully spell out the powers of a Constitutional convention initiated by the states under Article V. Among other things, Ervin's bill would limit such a gathering to the consideration of subjects contained in Congress' concurrent resolution convening it; any Constitutional tinkering outside that frame of reference could be voided subsequently by Congress. Ervin's bill is sound insurance against a runaway rewrite job by latter-day Founding Fathers. Congress should adopt it.

End of the Affair

The only item on the agenda at the February meeting of the Democratic National Committee was the call for the 1972 convention. As proposed by the executive committee, it contained a new apportionment formula that diluted just a bit the strength given the nine major states by the O'Hara Commission, incorporated the guidelines adopted by the McGovern Commission (now Fraser), gave national committee members elected in 1972 votes on their delegations but not extra votes, and set guidelines for credentials challenges.

The chief interest of the committee members was immediately apparent. When they left this meeting and went home, they would have to answer to their constituents for the numbers of delegates their states were allotted. In all, seven proposals were put on the table, ranging from straight "one Democrat, one vote" to a proposal offered by ex-Gov. Grant Sawyer of Nevada that would have based apportionment on the electoral college plus two votes a state for national committee members, thus cutting back the big states sharply and rewarding the South and smaller states. One at a time, the alternative proposals were voted down. The larger states wanted to restore the formula of the O'Hara Commission (50 percent population, 50 percent one Democrat, one vote), a plan that deci-

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mated the smaller state delegations. They lost, 68-27.

The executive committee's substitute took 114 delegates awarded by the O'Hara Commission to the nine largest states and spread them around the smaller states; however, this formula still gave the big states 1527 delegates out of 3016 compared with the 1081 out of 2611 they had in 1968. Thus, the larger states picked up 446 delegates while the convention itself was increased in size by only 405. The plan took hold as a reasonable compromise. Sawyer's plan was beaten down 60-38, when members from smaller states such as New Hampshire, Maine, Vermont, South and North Dakota, the District of Columbia, Wyoming and Idaho, to name a few, opposed it as unfair, though it would have increased their own delegations substantially.

After a day of debating and dividing the committee approved the call, including the McGovern Commission guidelines, with only a single dissenting vote. The McGovern rules weren't even discussed, so engrossed were the members in their numbers game. There was only one unfortunate slip, and the blame for that can be laid on National Chairman Larry O'Brien's fast gavel as much as anything. Massachusetts' John Powers, a man who takes his role very seriously, proposed to give "lame duck" members of the national committee a spot on their state's 1972 delegations, even if they are turned down by their party. O'Brien gaveled Powers' proposal through before it could be debated and later explained that he had to because "there could have been trouble here today." A later attempt to overturn Powers' move failed because the two-thirds needed for reconsideration weren't there.

In all, it was a propitious opening for the 1972 Presidential race. The votes at the next Democratic convention are now concentrated where Democrats live, the guidelines so painstakingly devised to provide for open selection of delegates are incorporated in the convention call, along with firm rules for challenges. And no one went home mad.

Meet the Need

San Mateo County, just south of San Francisco, is one of the five wealthiest counties in the country, and as of last September was estimated to include 4600 households certified to receive public assistance funds. About 1500 of them are in a ghetto sandwiched between the Bayshore Freeway and San Francisco Bay, and centered around East Palo Alto, a community that is unincorporated because it lacks an adequate tax base.

A typical participating household that gets Aid to Families with Dependent Children will include a mother and three children and have no independent income. Their maximum welfare grant will be $221 a month to cover all except medical expenses. Some counties supplement these stipends; San Mateo does not. Benefits are paid bimonthly. So if the rent is $130, the $110.50 that arrives on the first of the month is already committed. How does she buy food until the next check comes in two weeks? If she is entitled to buy food stamps, as is usually the case, her rent and total welfare grant indicate a bimonthly allotment of $53 worth of food stamps for $17. But having paid the rent, she does not have $17.

In August, 1970, a program called *Meet the Need* was started. It makes cash loans to certified recipients of food stamps, enabling them to purchase the full amount of their authorization, up to $50. It came about through a curious set of circumstances. Congress in 1967 directed the states to adjust their AFDC allocations to reflect cost of living increases. By 1969 California had not done so – and still has not – but it did provide cost-of-living increases for its social workers. Miriam Nixon, a social worker in San Mateo County, could not in good conscience accept her increase while her clients were being slighted and sent the check for her increment, $28.20, to the county board of supervisors. They returned it; next month she tried again. Just at this time the Bank of America was opening a branch in East Palo Alto and had contracted with the Department of Agriculture to handle food stamp transactions. (The government pays the banks 85¢-$1.15 per transaction to perform this service, because they have the necessary security facilities; nevertheless many banks are reluctant to participate because their regular customers don't like to mingle with the "riff-raff.") Mrs. Nixon asked the manager of the new bank if he would give her $28.20 each month to a needy food stamp purchaser. He in turn suggested that she incorporate and set up a Board of Directors.

In the first three months of *Meet the Need*, $3811.50 had been loaned to 119 families to purchase an additional $8616 of stamps. Strict controls ensure that the money can be used only for food stamps and only in the amount authorized for the recipient. Twenty-six loans had been repaid, totaling $535. The smallest was $4, the average $30. No interest is charged, but no second loan is made until the first is repaid. There is a special reserve for second loans.

The program is now administered by the Bank of America's East Palo Alto branch. It was initiated with $200 from Mrs. Nixon and some of her colleagues at the Social Service Department. The department's local supervisor serves on the board, as do representatives of several community groups. Nutrition-education programs are brought to the attention of the borrowers. The Board has had little time for fund-raising; it has been more interested in clients than donors. So far much of the support has come from churches in nearby, wealthier communities. As the program becomes better known, more fund-raising will be needed. Several weeks ago, the first eligible applicant had to be turned away for lack of money.

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Bombing Forests

Taos, New Mexico

Political bombings have become commonplace: banks, college military buildings, police stations, induction centers. But in recent months, in a small Northern New Mexico county, a wave of bombings has been directed against a new and at first glance unusual target: the US Forest Service.

Taos County, an hour's drive into the Sangre de Cristo mountains north of the capital at Santa Fe, is renown for a number of things: a dynamic artist colony, whose most famous member, D. H. Lawrence, is buried at his Taos ranch; the 1000-year-old Pueblo inhabited by the Taos Indians; and a growing ski valley which some day might rival the Colorado Vail. Much of the county lies within the Kit Carson National Forest, whose namesake, like Lawrence, also lived and is buried in Taos. The Forest Service "governs" the 1.2 million square-acre Carson Forest.

In quick succession last October, three bombings hit the Forest Service in Taos County. The first two destroyed 40-square-foot stone and wooden signs announcing entrance to various parts of the Forest. Damage was put at more than $2000. An anonymous caller to the *New Mexican*, the Santa Fe daily, said the bombings were a warning to the Senate Interior Committee not to approve a bill introduced by Senator Clinton Anderson (D, NM), which would have returned to the Taos Indians 48,000 acres of Carson Forest land, *without title*. The land included the Indians' sacred Blue Lake, an integral part of their nature-worshipping religion, and the Indians wanted the title to the surrounding region, too.

Days later, October 23, another blast heavily damaged a Carson Forest District Headquarters building in Penasco, in southern Taos County. It caused considerably more damage and comment than the first two. The Taos *News* hoped that only "numbered days" were remaining for "the bomber." A minister charged that outsiders, "not anyone local," were responsible.

The attacks did not stop when the Taos Indians won a legislative victory, as the US Senate defeated Anderson's bill and returned the land, with title, to the Pueblo Indians. Only weeks after President Nixon signed the bill, arsonists destroyed a Forest Service restroom building in a campsite three miles outside of the town of Taos on State Highway 64. More burnings of Forest Service property have occurred, unmentioned in the local press, in the neighboring county of Rio Arriba, suggesting that the attacks were unconnected with the Taos Indians' land claim, or that more than one group of people want the Forest Service out of Northern New Mexico.

Carson Forest acreage is also claimed by members of the Mexican-American community, the majority population in the region. The Spanish-speaking people resent US Government control of land which they say is theirs on the basis of Spanish land grants, some of which date back centuries ago to the Spanish Royal Court. Others lived on land which the government took in the Mexican-American War, now incorporated into National Forest.

Ownership of the disputed land involves more than ethnic pride. In a chronically depressed region like Northern New Mexico, land is the most valued commodity. The National Forest's prior owners now must pay grazing fees, timber cutting charges, and hunting and fishing license fees, to use what they consider their own property. And they may not live on the land; that privilege is usually enjoyed by Anglo camping parties who buy temporary camping permits from the Forest Service.

The disputes over the ownership of the Carson National Forest, and the resulting violence directed against the Forest Service, will probably never end until all the Indians and Mexican-American land claims are resolved in the claimants' favor.

James Rowen

The Nixon Watch

To Your Health

The architects of Mr. Nixon's "national health strategy" understood from the start of their work on it last autumn that he expected them to justify and act upon the view, which he stated and italicized in his message to Congress on February 18, that "there is much that is *right* with American medicine." He acknowledged in the next sentence that "there is also much that is wrong," but he didn't give the word "wrong" comparable emphasis. Richard Nathan, an assistant director of the Office of Management and Budget, adhered to that relative estimate of what is right and what is wrong with the present system (or nonsystem) of health care when he drafted, for the President, the original report from which he and other White House assistants and technicians at the Department of Health, Education, and Welfare evolved the Nixon program. During the months of preparatory debate and discussion, including intermittent consultation with the President, the officials shaping up the program never deviated from or considered any major alternative to Mr. Nixon's basic proposition that the existent structure of private practice supported mainly by private means and commercial insurance was to be built upon rather than discarded or fundamentally altered. The guiding rule was the one set forth in the President's message: "While it would be wrong to ignore any weaknesses in our present system, it

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would be equally wrong to sacrifice its strengths."

Mr. Nixon placed his program in competition with two principal alternatives. One of them is embodied in a bill sponsored by Edward Kennedy and 24 other senators and by Representative Martha Griffiths and more than 100 co-signers in the House. The other, resembling the Nixon approach in its philosophy, is the American Medical Association's "Medicredit" plan. Several others (the AMA listed a total of eight in a February study) are also before Congress. But the Nixon, Kennedy and AMA programs are the ones from which legislation is likely to be developed, and the least to be said for the President is that in presenting his own proposals he made it all but certain that this session of Congress will face up in a serious way to the need for something that deserves to be called a national health system. Senator Kennedy, critical though he was of the Nixon plan, credited the Administration with promoting a needed "national dialogue" in and outside Congress. Senator Abraham Ribicoff of Connecticut, whose concern with the health problem predates Senator Kennedy's, similarly praised the President in the course of announcing that he is devising his own alternative to the Nixon, Kennedy and AMA programs.

The Nixon White House has a habit of throwing out its grand designs, in the form of Presidential messages, weeks and sometimes months ahead of the draft legislation that contains the actual substance. A week after the President's seemingly comprehensive health message was published, his and HEW Secretary Elliot Richardson's assistants were still sweating out the legislation to be considered by congressional committees. Even with the Administration drafts in hand, the committees will have to fill in some sizable holes in the Nixon message. The committees may be confronted with a final program that is stronger in some respects and weaker in others than the outline offered in the message appears to be.

The Nixon scheme deals separately with Americans who can afford to pay for their health care and with those who cannot. But it deals with the poor and the nonpoor in the same way – by reliance upon privately provided health insurance. The federal government would buy the insurance for families with no or very low incomes (up to $3000 for a family of four). An official fact sheet supplementing the Nixon message said that "all employers of one or more persons" would be required by law to provide "minimum standard health insurance protection" for their employes, with the employers paying at least 65 percent of the cost initially and 75 percent later on. The employes would pay the rest, unless they or their unions obtained higher or total employer payment. The fine print limited the superficially inclusive mandate to employers "engaged in interstate commerce," a very broad but not totally embracing category.

The "minimum protection" to be required was not defined, leaving the impression that it could, with one generous exception, consist of the cheapest and most limited coverage available through Blue Cross and similar private insurance arrangements. The exception, insisted upon by the President, was the provision of coverage up to $50,000 for catastrophic illness of the kind that took the life of a tubercular older brother and burdened the Nixon family in Mr. Nixon's boyhood. Covered employes would get full maternity care and preventive care for children, but they would have to pay the first $100 to $208 of hospital costs and a vaguely indicated proportion of medical costs. The very poor would not have to meet these costs, but families of four with incomes above $3000 would have to pay some of the costs and, at income levels above $5000, all of them. Secretary Richardson guessed that employers in the first year would have to pay $7-billion a year more than employers now pay for health insurance. But he conceded that this and literally all other cost estimates, for the Nixon and rival programs, are no better than guesses and flimsy guesses at that. The only thing he seemed to be reasonably sure of was that the added federal cost would be in the range of $3 billion the first year, rising afterward but never to the level of cost to the federal treasury required by the Kennedy approach.

It can be argued, as Kennedy and his cohorts do, that cost considerations should not obscure the profound significance of his proposal that the present structure of private and commercial health insurance be discarded and replaced by truly national and federalized insurance, underwriting what in effect would come close to being a nationalized health service. It would be nationalized and federalized in the sense that nearly all doctors, their nondegree assistants, hospitals and other health-care institutions would get most of their money from the federal government rather than from patients and insurance companies. Medical and associated practitioners would be subject to compulsions, direct and indirect, much stronger and likely to be more effective than any proposed or implied in the Nixon and AMA programs. But federal cost is a factor that is sure to influence the choices that Congress makes, and the Kennedy proponents have been less than frank in their cost projections. The total Kennedy first-year cost is likely to be nearer the $80 billion predicted by Secretary Richardson than to the $41-billion (based on 1969 experience) that the Kennedy people bandy about. Half of it – probably $35 to $40-billion – would come from the federal government's general revenues, and it would require the addition of somewhere between $20-$30 billion to the sums presently budgeted for health purposes. The other half would come from employers and employes, through payroll taxes superimposed upon present Social Security taxes. In return, the covered beneficiaries, taxpayers and the whole society would have a gen-

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uinely inclusive national health care system, guaranteeing to everyone the total costs of most but not all necessary care. Nursing-home and psychiatric care would be severely restricted, for instance. AMA's Medicredit, offering minimal coverage at federal expense to people who pay no income taxes and equivalent coverage at ascending cost to those who do pay income taxes, does not begin to meet the need on the Kennedy scale.

All three proposals pretend to deal with the related problems of the supply of medical care and of the inflated and still inflating charges for that care. But none of the three, the Kennedy approach included, really meets these problems in a convincing way. The Kennedy plan, for example, relies upon the prior allocation of fixed sums to designated localities and areas, on the assumption that doctors, technicians and institutions will hold total charges within the promised total of payment. Nixon relies upon "competition" and upon the promotion of prepaid group care ("Health Maintenance Organizations") to hold down charges. Financial incentives, considerably stronger in the Kennedy plan than in the Nixon plan, are expected to increase medical school enrollments and induce doctors and other medical professionals to provide needed services in the ghetto and rural areas that are presently unserved or underserved. All of the major proposals – Nixon, Kennedy, AMA – shy away from the kind and degree of control and compulsion that nobody wants and that the problem may require.

John Osborne

Mine Workers United Against the United Mine Workers

Solidarity

Since the beginning of February, a federal court in Washington has been hearing a case involving the United Mine Workers of America's Welfare and Retirement Fund. A class action suit brought by miners from six states charges that the three trustees of the Fund, including UMW president W. A. (Tony) Boyle, mismanaged funds, cheated miners out of benefits, and kept millions of dollars in noninterest-bearing checking accounts in the National Bank of Washington – which the union owns.

The case, still being argued as this went to press, is one of several brought by dissident miners against the union and various coal operators. The reform groups go by several names: Miners for Democracy, the Black Lung Association, Disabled Miners of Southern West Virginia. All of them were sparked by the disaster at Farmington, W. Va., in November 1968, when 78 men died in an explosion. The movement was fueled by the struggle for passage of the black lung law in West Virginia and the 1969 Federal Coal Mine Health and Safety Act. And it received its ordeal by fire during the union's bitterly contested election in 1969, when insurgent Joseph A. (Jock) Yablonski lost to incumbent Boyle and was later murdered with several members of his family.

What the reformers have learned since Farmington is that the union has often worked against them and – if the charges brought in the upcoming suits are borne out – in collusion with coal operators, oil companies, and banking interests *against* the miners. They have learned that they must make political alliances outside the union.

So, while the press has focused on the current trial in Washington, reformers have been working in the coal fields, in their state capitals, and in Washington to win friends. They have been most successful in West Virginia, our largest bituminous coal producing state, putting out more than 141 million of the 560 million tons produced in the US in 1969, the latest year for which we have figures. Its miners have a long history of militancy, and when the state legislature balked at the tough provisions of the proposed black lung law in 1969, thousands of miners walked off the job. The bill was passed only minutes before the legislative session ended, but the miners continued their strike until the governor signed the bill two days later. In recent weeks, militancy like this and the increased political savvy of the reformers have been put to work for political objectives.

First among these is the abolition of strip mining in West Virginia. In 1969, it represented only about 10 percent of all coal production in the state. Recently, however, strip mining has been stepped up, probably because the operators fear some restrictions in the

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uture. Their fears are justified. State Senator Si Galerin has introduced a bill that would prohibit issuance of any new strip mining permits after July 1, 1971, and nd all strip mining after Jan. 1, 1973. More important, he bill has received the unswerving support of John D. Rockefeller IV, the bright-eyed Secretary of State and he most attractive liberal politician West Virginia as seen in years.

The reform miners know there are economic drawbacks to abolishing strip mining. 6700 jobs may be ost. But a spokesman for the dissident Black Lung Association said, "Most of the deep miners I know are eally concerned about stripping. They ask, 'Who are he strippers hurting?' The miners bear the greatest art of the damage. And, they're also great outdoorsnen." In the long run, abolitionists say, "stripping" doesn't pay.

While the bill has the backing of Rockefeller and very fish in the state, it faces tough opposition from strip mine operators. At a public hearing on Feb. 15, most of the crowd of more than 1000 that packed the House of Delegates chambers in Charleston opposed Galperin's bill. The reformers learned that the West Virginia Surface Mining Association has paid for a dozen buses to ship "sympathizers" to the hearing. The bill now goes back to committee; it still may pass.

Another bill, which has considerably more chance n some form, is a revision of the state's workmen's ompensation law. According to Richard Bank, a lawyer or the Coal Miners Legal Defense Fund, it is "by far he most radical workmen's compensation bill ever ntroduced in West Virginia." Or anywhere else. It as three major provisions: increased benefits, simplified procedures that are fair to the workman, and etroactive benefit adjustments. On the first point, the ill would grant an injured worker 100 percent of his verage weekly wage, not to exceed 100 percent of the verage weekly wage in West Virginia. This is designed to end what Bank describes as "starvation ompensation," which assumes that most workmen re naturally lazy and won't return to work if they re compensated too much. According to Bank, injured workers can't support their families on the sum they re now awarded – two-thirds of their average weekly alary, not to exceed 50 percent of the average weekly wage in West Virginia.

Another inequity that the proposed bill would emove is the favoritism given the employer in appealng a negligence claim. Under existing law, most mployers appeal all negligence claims, knowing that legal delays and lack of money will wear most injured workmen down. The new bill would simplify procedures (thus speeding up the negligence claim), and it would take away the employer's incentive to appeal by charging court costs and witness fees, plus five percent interest on any award, to an employer who loses an appeal on a negligence claim.

The final major provision would require that any time benefit rates under workmen's compensation are adjusted upward; all totally disabled persons or widows receiving compensation would have their benefits raised accordingly. It would also require that the adjustments be made for anyone receiving benefits at the time the new law is enacted and becomes effective.

The significance of this bill lies not merely in its sweeping reforms, but in the manner in which it was formulated. Essentially, it is a *workmen's* bill written by dissident miners *and* a coalition of Teamsters, bricklayers, machinists, and other laborers. This fact has not been lost upon the established unions. Last Feb. 10, when the House of Delegates Judiciary Committee considered the bill, a "Labor Alliance" consisting of the UMW, the AFL-CIO, and the Teamsters introduced a bill that embraced many parts of the reformers' proposal, including retroactive benefit increases. As Bank said later, "I was pleasantly surprised," especially since the Labor Alliance had tried to sabotage the reform bill by characterizing it as "radical."

The reformers are pushing out on other fronts. They are fighting a bill to reorganize the state's Department of Mines, because it would take mine inspectors out of the mines and place them in training jobs. Proponents of the bill say state inspectors are just duplicating the work of federal inspectors, but former coal miner Arnold Miller thinks differently: the more inspectors, the better. The reformers are also opposing a plan by the US Bureau of Mines to train Chicanos and American Indians in coal mining, allegedly because there is a labor shortage in the coal fields. Using their new coalition tactics, the reformers have got in touch with leaders of both groups, including Cesar Chavez, and have at least been able to put the plan on ice, temporarily for the present.

What all this shows is that the most radical labor action is coming not from what was once the most activist labor union, the UMW, but from the men who are fed up with the old leadership. They are seeking new political ties, and Jay Rockefeller may be their latest and biggest catch. In the past, Rep. Ken Hechler (D) has been their bulwark; it was he who guided the federal coal mine act through Congress in 1969, and who recently attacked the Nixon Administration for appointing unqualified "political hacks" to the new Advisory Committee on Coal Mine Safety Research. (Among the appointees were chairmen or former chairmen of various Republican committees; a chemistry professor with no experience in mining; a university president whose sponsor admitted in writing that the man had no experience in mining; a vice president of Consolidation Coal Company, the firm which owned the mine that exploded in Farmington in 1968, and the owner of a Louisiana salt mine in which 21 men perished in March 1968.)

Politicians in West Virginia have been forced to recognize the power of the reform movement. Accord-

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ing to Miller, during the 1969 debate on the black lung law the reformers found that "there were a number of legislators who weren't for us, and were pretty blatant about it." In the 1970 primary and general elections, 21 of 26 incumbents who had worked against the reformers were dumped. Among the victims were the president of the Senate and the chairman of the powerful House Judiciary Committee. The reformers have had more than two years experience at the political game, and they're not forgetting their lessons.

Robert Cassidy

Peddling Dangerous Drugs Abroad

Special Dispensation

by Stanford Sesser

The hazards of Parke, Davis & Co.'s controversial antibiotic, Chloromycetin, are so well known by now that many physicians shudder at the mention of its name. Just a few years ago, Chloromycetin was commonly used for treatment of infections; now, thanks to the reams of adverse publicity, its sales in the United States have declined sharply. The problem with the drug is that it can produce a frequently fatal blood disease, aplastic anemia, as a side effect. Aplastic anemia means that the bone marrow stops manufacturing blood cells; if treatment fails, as it often does, the patient dies. In 1967 the *Journal of the American Medical Association* reported that of 288 cases of aplastic anemia associated with Chloromycetin, 12 percent of the patients had been treated with the drug for a common cold.

Now, however, the Food and Drug Administration has forced Parke, Davis to make the hazards of Chloromycetin clear in its package inserts and in information supplied to doctors. The new insert warns of "serious and fatal" blood diseases, says that the drug "must not be used when less potentially dangerous agents will be effective" and cautions that Chloromycetin "must not be used in the treatment of trivial infections." Today it is recommended as a drug of choice only for typhoid fever.

In view of all this, one might legitimately wonder why the Defense Department purchased 10,642,300 capsules of Chloromycetin from Parke, Davis last year – enough to provide three doses for every single member of the armed forces. The answer will provide another nice little footnote to the history of our involvement in Southeast Asia. Very few of the capsules went to Defense Department hospitals, where use of Chloromycetin is carefully regulated. Instead, almost 10 million capsules were given to South Vietnam for use on South Vietnamese. About half of this went to the Vietnamese army, and the other half to the Ministry of Health for dissemination through civilian physicians.

The Defense Department has made no public statement on these purchases other than to say they're being reviewed. But one army medical officer, in response to inquiries from a medical trade publication, justified the purchases by speculating that "more lives are probably saved than lost with the drug." Besides, he added, the South Vietnamese could just buy it on the world market anyway.

This transaction provides an example of the dual standard practiced by American companies and the US government in the sale of potentially hazardous products. Americans, at least on occasion, are offered protection from the merchants of these products, but the rest of the world is considered fair game. Thus while cyclamates are banned here, Libby, McNeil & Libby continues to ship thousands of cases of cyclamate canned fruits to West Germany, whose government, in the words of one Libby executive, is "more deliberate about judging momentary fads that are popular in the US from time to time." While the US government tries to discourage the smoking of cigarettes at home, it subsidizes the sale of American cigarettes abroad through low-interest loans to foreign governments. And while laws such as the Flammable Fabrics Act protect the American consumer, they say nothing about exports – so that many of the flammable fabrics pulled off the market in the United States end up being sold to Canadians.

But nothing speaks worse for the United States than the activities of Parke, Davis in its overseas sales of Chloromycetin. No one knows the full story of the abuses from this drug, but the reports coming back

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ndicate a need for strong action by Congress if foreign governments fail to move.

Take the warnings for Chloromycetin as one example. The US package insert begins with the following statement: "Serious and fatal blood [diseases] . . . are known to occur after the administration of chloramphenicol [the generic name]. In addition, there have been reports of aplastic anemia attributed to chloramphenicol which later terminated in leukemia. Blood [diseases] have occurred after both short term and prolonged therapy with this drug."

Compare this with Parke, Davis's package insert for Italy. The company tells Italian doctors that "the fact that therapy with Chloromycetin is remarkably without secondary reactions is very significant. The preparation has been tolerated well by both adults and infants. In the few cases in which reactions occur, these are generally limited to slight nausea or diarrhea and their severity rarely requires suspension of treatment."

The US warning states that Chloromycetin "must not be used in the treatment of trivial infections or where it is not indicated, as in colds, influenza, infections of the throat; or as a prophylatic agent to prevent bacterial infections." But in Italy, the section on uses of the drug begins: "Many infections have proved particularly responsive to Chloromycetin: Infections of the respiratory apparatus caused by bacteria and viruses. . . ."

Parke, Davis's explanation for the discrepancy in warnings displays a cynicism perhaps unmatched in American corporate enterprise. A spokesman for the company began with the standard drug industry response to such queries: The warnings "are based primarily on what their governmental agency involved with health deem necessary," and "we are conforming to the specifications of those countries." When pressed on how the company could recommend a use for the drug in Italy that is expressly forbidden in the United States, he answered: "I'm certain they have not experienced what has been experienced here."

This reply recalls a 1967 exchange between Sen. Gaylord Nelson and Leslie Lueck, a Parke, Davis official, at a Senate drug industry hearing. Sen. Nelson read the text of an ad for Chloromycetin in the British Medical Journal and noted that the ad had "no warning at all. How do you explain that?" Mr. Lueck responded that "Parke, Davis has always met all the requirements, the legal requirements of whatever country we distribute our products in."

Sen. Nelson: Well, the effect of the drug is the same on people in other countries as it is here: is it not?

Mr. Lueck: Largely.

Sen. Nelson: Do you know of some differentiation?

Mr. Lueck: Yes; there are some minor differentiations, but for the sake of this discussion, let us say they are the same.

What Parke, Davis concedes at Senate hearings – foreigners "for the sake of this discussion" are also human beings – apparently has no impact on its marketing. In Japan, for instance, the company sells Chloromycetin SF, a mixture of Chloromycetin with seven vitamins, and calls the compound "a remarkably ideal antibiotic." A long list of uses not recommended in the United States includes gonorrhea, measles, and "prevention against pre- and post-operative infectious diseases." The warnings, of course, are sparse, and just to make sure no possible sale is lost, the package insert makes the following point: "The Chloromycetin SF tablet is a beautiful two-layer tablet, sepia-colored on one side, and yellow on the other."

These are the official package insert warnings; no one knows what claims for the drug overseas are made verbally by the Parke, Davis detail men who sell it. One doctor told me he heard the detail men in the Philippines were pushing Chloromycetin as a cure for common colds. A company spokesman denies it.

No one has studied the impact on health of the widespread use of Chloromycetin overseas. Dr. Harry V. Shirkey, chairman of the pediatrics department at the University of Hawaii medical school, recently toured children's wards in hospitals of three Far Eastern countries and said in an interview that "it was striking that there would be so many cases of aplastic anemia, more than we treat in our wards here." The observation has no statistical validity, nor does it directly implicate Chloromycetin, but Dr. Shirkey says that when he asked doctors "if they weren't concerned if this was related to Chloromycetin, they said they didn't have the fear we had in the US."

The situation with Chloromycetin has become so scandalous that the State Department last year felt compelled to warn governments in Latin America of the drug. In a bulletin to all its embassies, the State Department urged that Latin American health authorities be warned that Chloromycetin is being sold "with labeling which is believed to constitute a hazard to health." The bulletin notes that the Spanish label makes no mention of the serious blood diseases, and "also contains indications for use in conditions where the FDA knows of no data to substantiate its effectiveness: measles, mumps, ulcerative colitis, chicken pox and infectious hepatitis. Many of the other indications listed are as well treated with other, safer antibiotics." This bulletin was dated May 1970 – and there have been no reports of a change in Parke, Davis's marketing strategy since.

Depending on foreign governments to put a halt to Parke, Davis's tactics isn't the ideal solution. If ten countries passed laws, it could simply shift its sales efforts to the hundred that didn't. What is needed is congressional action making American exports subject to the same safety and health regulations as products sold domestically.

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"Why Are You Not Here"?
Bearing the Burden Of the Berrigan Brothers

by Edward Duff

A brother of mine has been in the US Federal Correctional Institution at Danbury, Connecticut, since last August; and in addition, the government has now named him, but not indicted him, as a co-conspirator in a plot to kidnap Henry Kissinger and to blow up heating tunnels in Washington.

I have never met Daniel Berrigan, nor, given our differences of temperament and experience, is it sure that we would like one another. Yet Dan Berrigan is a personal problem. Not an embarrassment, mind you: he has been publicly certified as being in good standing as a priest and as a Jesuit by his Provincial Superior and undoubtedly enjoys the affectionate and enthusiastic endorsement of the younger members of the Society. It is not, then, his being in jail – along with his blood brother, Josephite Father Philip Berrigan – that is disconcerting. It is Dan Berrigan's spiritual stance and political posture that challenge me as a priest and as a political scientist. For my own clarity of mind, I must come to terms with the issues the Berrigans personify and publicize. They are a burden.

The burden would not be lightened by a visit to my brother Jesuit at Danbury, although I am old enough to recognize the project as listed among the Corporal Works of Mercy. I prefer not to risk the experience of Ralph Waldo Emerson calling at the Concord jail to see his friend, Henry Thoreau, sentenced for refusing to pay taxes to a town that supported drilling for the Mexican War, a war which he deemed a move to extend slavery.

The exponent of Self-Reliance was puzzled by the situation. "Henry," he asked, "why are you here?"

"Waldo, why are you *not* here?" was the curt reply.

Factually, Daniel Berrigan is in prison because on May 17, 1968, with eight others, including his priest-brother, he invaded the offices of Local Board 33 on the second floor of the Knights of Columbus Hall in the Baltimore suburb of Catonsville. In a well-planned operation, 300 files were hurriedly rifled, quickly dumped into wire trash-baskets and burned with home-made napalm in the parking lot amid prayers and the whir of TV cameras. As to why he destroyed government property and interfered with the workings of the Selective Service System, the two counts on which the jury convicted him after a perfunctory, half-hour consideration, Daniel Berrigan has been prolix and eloquent both at the trial and in many subsequent interviews. These explanations were frequent during the nearly four months he evaded the FBI when ordered to prison on April 9 following the rejection by the Supreme Court of his appeal last March. After having been sheltered by 37 different families in 12 cities, Daniel Berrigan was captured on August 11 at the summer home on Block Island, R.I., of William Stringfellow, Episcopal lay theologian and lawyer whose years defending Harlem's poor are recounted in *My People Is the Enemy*. The book includes the caustic (and challenging) comment: "Christianity is about religion, not about life."

One of Berrigan's courtroom explanations of his multiple motivation for the burning of the draft records involved an excursus on St. Ignatius' program of operation: "we [Jesuits] belonged actually in society, in the culture, in the schools, in the ghettos among the poor, as the servants of men, and that it was there that we would find God or nowhere." Asked by defense counsel whether the Catonsville demonstration was "carrying out that philosophy of the Jesuit Order," Daniel Berrigan affirmed: "May I say that if that is not accepted as a substantial part of my action, then the action is eviscerated of all meaning and I should be committed for insanity."

Daniel Berrigan is a poet and, as national awards attest, a very good poet. He is, then, a person of imaginative insight, a master of metaphor, a stylist of shining affirmation but, most significant, he is an artist of acute and resonant sensibility.

A couple of months before his trial Father Berrigan had flown to Hanoi to accept three American POWs the North Vietnamese regime had chosen to release. While he was in the city, a US bombing raid forced all to flee to improvised shelters. The priest climbed down into the hole, an infant in his arms being fed all the while by its sister. In a poem he began composing, the American Jesuit saw all the purpose of a better world and all the evil of our foreign policy caught up in the fate of that Oriental baby.

Nor should one think that Berrigan arrived in Vietnam as an innocent abroad. He had examined at first hand the moral monstrosity of *apartheid* in South Africa and had talked with the survivors of the Sharpeville massacre; during an enforced "vacation"

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he had inspected the teeming *favellas*, the fetid offscourings of the bourgeoning cities of Latin America; he had experienced the efforts of Catholicism to endure and adapt under oppression in East Europe. And now he sees American civilization as ugly, menacing and irremediably corrupt. He anticipates, moreover, that all thoughtful men will come to "the dawning realization that practically nothing of traditional civilized structures is functioning for human welfare. This is true of medicine, education, communication, arts, the Church, and indeed, God help us, the courts." Daniel Berrigan believes that the American political order has lost its moral legitimacy.

Since I do not share such an apocalyptic judgment, I must ask if an insensitiveness to evil is responsible.

When Catherine Genovese returned late at night from her lunchroom cashier's job to her apartment house on Austin Street in the New York suburb of Kew Gardens on March 13, 1964, she was attacked by a man who assaulted her on the street as she sought safety and finally stabbed her to death in an entryway. For more than an hour 38 neighbors watched the crime being committed without coming to her aid or calling the police. It is easy to forget Eric Fromm's observation that the opposite of love is not hate but apathy.

Was I guilty of this apathy when just before Christmas, 1961, I passed without second thought American GIs lined up at the Thansanhut airport, Saigon? In the city I stayed at the Metropole, an old French era hotel with ice cream parlor style fans in the ceiling, across the square from the new air-conditioned Caravelle, where the International Control Commission and the US brass relaxed. Accepted as *un Canadien de la langue anglaise* by the staff (an error to be encouraged in all countries), I was persuaded that all the people I met were already weary of war. But President John F. Kennedy, I recalled, had declared in his inaugural address: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty." A few days before my arrival in Saigon, Kennedy had written to President Diem that "we shall promptly increase our assistance to your defense. . . ." GIs at the airport in 1961, then, seemed normal.

Nor, on reflection, was I disturbed for long – is "radicalized" the word? – by the *bustis* in Calcutta, those rabbit warrens for the wretched people fortunate to have some kind of a roof over their heads. An extraordinary Albanian nun, Mother Theresa, took me to her House for the Dying, two garage-like sheds beside a noisy pagan temple, where derelicts from the streets are brought and nursed, the unlucky ones recovering enough to return to the streets – to starve again. A $10 handshake and the promise of publicity for her manifold charities unburdened me emotionally of Mother Theresa and the limitless human misery in Calcutta. Was I the Levite who hurried along the road to Jericho (presumably on Jesuit business), untouched by the plight of those whose humanity had been plundered? But plundered by whom? And what were the possibilities of effective action open to me?

Last May 23, in the course of a public conference at Orleans in France Dom Helder Camara, Archbishop of Recife, Brazil, termed "scandalous" the sale by the Pompidou government of 16 Mirage III fighter bombers to his country, especially in view of the desperate needs of the poor. Given the documented evidence of tortures by the military regime in Brazil, Catholic and Protestant groups demanded the cancellation of the arms sale, with two Catholics, a priest and a lay professor, undertaking a two-week, public fast in protest. Their action was endorsed by the bishop of Orleans, Guy-Marie Riobe, who declared: "It would not be honest to applaud Dom Helder and then let him alone bear the considerable risk of this matter without ourselves sharing on the spot the same struggle." The US government will sell, finance and give away more than $6.7 billion in arms in 1971 to other governments, many of dubious origin and disputable legitimacy. Ostensibly to strengthen the collective defense of the West, such arms have been used in wars by opposing nations – Pakistan and India, Israel and Jordan. Deplore the practice though I do, I see no feasible, effective protest to stop the program. Is this acquiescence in evil or spiritual sloth or passive cooperation?

On the other hand, as a teacher I am (presumably) preparing collegians for what Vatican II calls "the layman's own distinctive role." Perhaps through cowardice I have interpreted the text that follows that phrase as a counsel of caution:

> Often enough the Christian view of things will itself suggest some specific solution in certain circumstances. Yet it happens rather frequently, and legitimately so, that with equal sincerity some of the faithful will disagree with others on a given matter. Even against the intentions of their proponents, however, solutions proposed on one side or another may be easily confused by many people with the gospel message. Hence it is necessary for people to remember that no one is allowed in the aforementioned situations to appropriate the Church's authority for his opinion. They should always try to enlighten one another through honest discussion, preserving mutual charity and caring above all for the common good.

Serving the common good in my present enterprise is

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sensitizing young minds to injustice and official hypocrisy, cauterizing the instinctive but idolatrous admiration of American power and affluence, and unfolding the implications of the verdict of Pope Paul VI in his encyclical *On the Development of Peoples:* "The world is sick. Its illness consists less in the unproductive monopolization of resources by a small number of men than in a lack of brotherhood among individuals and peoples."

Father Berrigan's political pessimism is total. "American power," he tells us, "is locked into its method, its sleep-walking, its nightmare, its rampant and irreversible character. No change in the personnel of power seems to bring about any serious change in the functioning and direction of power, in the misuse and grinding under of human beings." A case can be argued for such a bleak judgment, but one wonders how the Berrigan brief for such a conclusion would read beyond an enunciation of the failure to convince a judge and jury that a clear intent to stop the war in Vietnam merited an acquittal.

From his brother, Philip, Dan Berrigan learned of the plight of black people in New Orleans and Baltimore; from several of his Catonsville co-defendants he heard brutal details of US government support of oppressive, reactionary regimes in Latin America. But from his collegians at Cornell and from the professional people – the professors and doctors and clergymen – who harbored him in the underground he scarcely encountered evidence of American power in the "grinding under of human beings." When captured on Block Island, he was reading "The Trial and Death of Socrates." Earlier he had told an interviewer: ". . . in the way of contemporary poetry I am particularly enjoying Allen Ginsberg and Denise Levertov."

This is all proper fare for a poet and poets are in short supply these days. It seems, however, inadequate resource material for dire political assessments which invite (and expect) an analysis of how we got where we are and some suggestions as to what directions we should move. The situation is too serious for stridency or hand-wringing.

We got where we are because of a decision, made early in the Kennedy Administration and supported routinely by our freely elected representatives that – in addition to maintaining our nuclear superiority – this nation must be prepared to fight simultaneously two-and-a-half conventional wars, a major war in Europe, another in Asia and a brush-fire operation in Latin America. The result has been a blind distortion of national priorities with social decay at home accepted as the price of power abroad, with 50 cents of the tax dollar going for military or para-military expenditures and one in every ten jobs dependent directly or indirectly on our military posture. This development has been fostered by intelligent men of good will; it has been rubber-stamped regularly by Congress; it has been supported by the trade unions and industry and accepted by the American citizenry. The issue, then, is immensely larger than the Vietnam war.

In fact, it is only now that we can see that our pursuit of world security has made it unsafe to walk the streets of our own cities, including the nation's capital, at night. We are pledged to defend 42 countries (our troops are stationed in no less than 30) and yet we face disintegration at home. The gravity of our situation was expressed in an editorial in last June's *Fortune*, the monthly edited, it claims, for "the men in charge of change":

> For the first time, it is no longer possible to take for granted that the US will somehow survive the crisis that grips it. The land will survive, of course, along with the machines and the people – or most of them. But no nation is merely, or mainly, an aggregate of its geography, its material assets and its warm bodies. At the core of the US, conferring identity, cohesion, belief and vitality, stands a Proposition: free men, despite differences of status, belief and interest, can govern themselves. Upon the survival of that Proposition, confirmed by eight generations of superb achievement, depends any worthwhile future that an entity called the United States might have. And it is that Proposition – amazingly – which in the spring of 1970 has come to be at stake.

Clouding the future of that Proposition has been a distortion of national goals in the exaltation of exorbitant military powers, a process briefed in such current books as Richard J. Barnet's *The Economy of Death*, Seymour Melman's *Pentagon Capitalism*, Senator William Proxmire's *Report from Wasteland*, Sidney Lens' *The Military-Industrial Complex*, Colonel James A. Donovan's *Militarism U.S.A.*, J. K. Galbraith's *How to Control the Military*, Senator Fulbright's *The Pentagon Propaganda Machine*, Adam Yarmolinsky's The *Military Establishment: Its Impact on American Society*, and George Thayer's *The War Business*.

Such literature strikes me as more apposite to the serious protestors of the Vietnam war than the collected works of Mohandas Gandhi in the Berrigan

COMING: Amphetamines for Children — a decision for doctors or politicians? by Harlan Vinnedge

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library. For what, after all, is the American equivalent of a march to the sea to make your own salt or weaving your own cloth for your own *dhoti* on your own spinning wheel, when the news of the preliminary award of the B-1 bomber (a program estimated to cost eventually $12 billion) to North American Rockwell Corporation is headlined by the Los Angeles *Times* as "43,000 NEW JOBS!" Or when the only dispute in the Senate last September over $2.5 billion for 30 new destroyers was whether half should be built at the Bath Iron Works in Senator Margaret Chase Smith's state of Maine or all of them at the Litton shipyards at Pascagoula in Armed Services Committee Chairman John Stennis' fief of Mississippi?

Ours is undoubtedly a society fearsomely preoccupied by war and mired in the making of ever more lethal and costly weapons – and this to the crying neglect of urgent national problems. To say, however, that it has shut its ears to public challenge, that it is controlled by those "grinding under human beings" is certainly questionable, not least in view of the audience commanded by Father Berrigan during his months of evading arrest when his articles and interviews appeared in the *Saturday Review, Commonweal, New Yorker, New York Review of Books, Christian Century, New York Times Magazine,* and *Village Voice,* along with network appearances on the National Broadcasting Company and the National Educational Television, plus a play of his, "The Trial of the Catonsville Nine," produced in Los Angeles.

Believing that "the times are inexpressibly evil," Daniel Berrigan believes also that they are irretrievably beyond lawful remedy. He asserts: "Let me say as plainly as I know how, I don't see as a political tactic that anything that might be called 'useful' is left to us, except civil disobedience. I say that openly. I am not supposed to say it – by the terms of my bond – but I say it anyway. I don't see anything remaining to us by way of confronting the warmakers, except civil disobedience."

Here is the American tradition of Henry David Thoreau – updated. A poet, too, who claimed to hear "a different drummer," Thoreau insisted that "any man more right than his neighbor constitutes a majority of one," counseled using one's life as "a counter friction to stop the machine," extolled John Brown, the insurrectionist, as "an angel of light" and advocated "direct action" in the form of withdrawing one's allegiance to a government permitting slavery.

While Thoreau as early as 1849 thought that "it is not too soon for honest men to rebel and revolutionize" because of the legal protection of slavery, his knowledge of (and interest in) the complex issues involved in the Civil War was slight; his "rebellion" was a token one.

What Daniel Berrigan envisages beyond generalized civil disobedience, encouraging "a solid wall of conscience to confront the warmakers," urging people to "say NO! courageously, constantly, clear-sightedly," he has not told us. He underlines the spiritual problem at issue: "Man is unready for a human future. He has not grown those organs and resources which allow him to function in an alternate way, where he lives, and to reach out with public consequences." He speaks of a new form of human community, one no longer dominated and restricted by the limitations of the "nuclear family"; he hoped that he could build bridges to the Weathermen and the Black Panthers; certainly as a priest he was pleased by his appeal to the New Left.

At their trial the Catonsville Nine argued their "noncriminal intent" in destroying the draft files, a plea that was disallowed. The facts were not in dispute: the Nine had alerted reporters and had prepared a press release in advance to assure maximum publicity and had waited patiently the arrival of the police to arrest them. Their purpose, obviously, was larger than to discommode temporarily an individual Selective Service Board. They surely must have realized that the inexorable workings of the draft system would automatically fill the gaps caused by the missing Catonsville records by increasing the calls on neighboring boards. (Did they advert to the possibility that they might be destroying the painfully compiled dossiers of some applying for Conscientious Objector status?) What they ambitioned was to subject a phase of national policy, the war, to judicial review.

They had tried all other means. Philip Berrigan had prayed in front of the homes of the Joint Chiefs of Staff at Fort Myers, Virginia, and of Secretary McNamara in Washington; he had talked with Secretary Rusk; he had interviewed senators; he had given talks against the war across the country; and, six months earlier, he had poured blood on the draft files in the United States Custom House in Baltimore. Daniel Berrigan from late 1965 had been co-chairman of "Clergy and Laymen Concerned About Vietnam"; he had been jailed in the aftermath of the march on the Pentagon at the time Philip as one of the Baltimore Four was defacing draft records with blood. Previous protests having failed, the Catonsville Nine would have the courts, the guardians of the American Proposition and the symbol of the country's civic righteousness, condemn the Executive branch of the government. By acquitting them the judiciary would, in effect, rule the Vietnam war illegal.

It was an empty effort. The prosecuting attorney conceded that in fact "reasonable men" could hold that the war is illegal, in violation of the US Constitution, the UN Charter and the 1954 Geneva Accords. In charging the jury Judge Roszel Thomsen declared: "The law does not recognize political, religious, moral convictions, or some higher law, as justification for the commission of a crime, no matter how good the motive may be." In effect, the Judicial Branch of the govern-

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ment told the defendants to take their case to the public in the hope of influencing the Legislative Branch (i.e., an already too compliant Congress) in order to restrain the Executive Branch, but do this after a jail sentence for destroying government property and interfering with the draft that is keeping the war going. For, with the representatives of the people in Congress routinely voting massive appropriations for the war, it is excessive to pretend that Vietnam is merely an aberration of the Executive.

What did the action of the Berrigans at Catonsville achieve? The question, though unfair, is unavoidable. It is unfair because the defendants made it clear that they felt morally compelled to make their protest in the form that they did and were aware of the legal penalties. But was, as some allege, the tactic of burning draft records counterproductive? Last May some 700 campuses went on strike to protest the Cambodian extension of the Vietnam war. Subsequently, a Gallup poll revealed that 82 percent of the American people disapproved of such form of protest.

During his underground days Father Daniel Berrigan surfaced briefly as a guest preacher at the First United Methodist Church of Germantown, a Philadelphia suburb. His Sunday sermon was filmed for TV, as were the reactions of some of his listeners. Three of the four people interviewed had never heard of him, despite the pastor's explicit introduction, and assumed that he was "a refractory cleric," "a defrocked priest or one of those who has left the Church." All three were elderly folk, plainly WASPS. (The fourth, a younger man, recognized the preacher, but said that, after considerable thought, his conscience dictated a different course.)

But the Berrigans have achieved at least this: they have challenged in the public mind the automatic identification of American Catholicism with the status quo, its alliance with prevailing patriotic causes, its ambition to be accepted, not so much as an alien value-system adjusting to a politically neutral environment, but as a group of citizens "just like everyone else." The example of the Berrigans raises the doubt that American Catholicism can be counted on to supply acolytes for *all* the shrines of the civic religion that is the American Way of Life. In the past Catholic sympathies and votes were deliverable on behalf of organized labor because its members were "our kind." (Or, as I once heard Reinhold Niebuhr explain, because the mill owners were Protestant.) Endeavoring to elude the hostility reserved for the poor and the late arrivals in God's Own Country, to escape the heritage of hyphenation (Irish-American! German-American! Polish-American!), we American Catholics became, all too successfully, Super-Americans, prompt to match the number of our Gold Star Mothers or our nominees for the All Star football lineup with any group in the country. One of "our kind" who made it, Daniel P. Moynihan, supplied the measure of our success: it is the Harvard men, he remarked, who are to be checked for security clearance and it is the Fordham graduates who do the checking. The ultimate scandal for the Jesuit-graduate FBI agent who arrested Father Berrigan was not the complaisance of Mr. Hoover's men at violations of federal anti-discrimination laws by Southern police but the fact of a priest defying the government.

The Berrigan phenomenon notifies the nation that it is idle to look primarily to the hierarchy – or its secretariat in Washington – to know what American Catholics think on issues of civic controversy. Whatever was true in the days of child labor legislation, the vote for women, national health insurance, now no longer obtains.

That Daniel Berrigan's example and charismatic personality have strongly stimulated among younger Jesuits the conviction that Christianity has a social message and that they are involved in its meaning for the world seems certain. As one who edited *Social Order*, a monthly review with precisely that scope and function, and which died for lack of Jesuit support, I note the change with satisfaction.

To be sure, I am often disconcerted by some manifestations of that enthusiasm: the ease with which gospel truths are translated into concrete political programs, the astonishment that the problem of evil is intractable to foot-stomping, the substitution of conscience for thought, the erection of impatience into an ideology, the solipsism of solution by incantation. Father Berrigan is not wholly innocent of such tendencies himself, as when he wishes the Society of Jesus to be "a brotherhood which will be skilled in a simple, all but lost art – the reading of the gospel and life according to its faith." Would that reordering society and righting a wounded world were as simple as Prince Kropotkin taught and the Moral Re-Armamenters believe.

In a letter, widely reprinted, addressed "Dear Father General, Father Provincial and Brothers in Christ," Daniel Berrigan explained anew his purposes, announced his continuing resistance to "the instruments of the war makers" and sent "a word of love to the brethren who have been for these 30 years my blood line, my family, my embodied tradition and conscience." It is an eloquent appeal for moral change, for a birth in the spirit requiring "a new acceptance of the world with all that implied: moral crisis, infamy, risk, obloquy, mistakes, *horror vacui*, misunderstanding, the ability to deal with personal and social violence, the breakup of cherished hope, the tearing apart of even the most admirable cultural fabric, the loss of all things, in fact, 'if only Christ be gained'."

Daniel Berrigan's loyalty to the ideals of the Society, then, is deep and fixed. He is undisturbed about those who leave, identifying himself with the core of *la Compagnie*, the "community in which men may speak the truth to men, in which our lives will be purified of the inhuman drives of egoism, acculturation, profes-

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sional pride and dread of life." Moreover, he knows the incessant demands of permanent availability in such a career of service. "Being a celibate in this situation," he told an interviewer, "is very important. American society has sexualized itself as a ticket of admission." May it be noted, too, that when in late 1965 Father Berrigan was summarily banished from New York for his antiwar efforts by his Jesuit Superiors, yielding to ecclesiastical pressure, he went quietly, throwing no tantrums, calling no press conferences.

And so Daniel Berrigan's "cry for justice and peace" is muted behind the walls of the federal medium security prison at Danbury where he is kept busy, probably making mattress covers, certainly praying for the world. He faces the tedium of enforced idleness, the frustration of seclusion and the satisfaction of a slowly growing general revulsion over the murderous misadventure in Vietnam. To the extent that his efforts sharpened the public conscience on the futility of uncontrolled violence, his burden is lightened. He must find solace in the words Chesterton put into the mouth of Our Lady, speaking to King Alfred before the battle of Athelney, words which the London *Times* printed as its total editorial comment the morning after Dunkerque:

"I tell you naught for your comfort
Yea, naught for your desire,
Save that the sky grows darker yet
And the sea rises higher.
Night shall be thrice night over you
And heaven an iron cope;
Do you have joy without a cause
Yea, faith without a hope!"

The burden on this particular Jesuit, on the other hand, is clearly specified by Daniel Berrigan in his letter to his fellow members of the Society of Jesus: "I ask your prayers that my brother and I and all who are at the edge may be found faithful and obedient, in good humor, and always at your side."

This is the burden a brother Jesuit gladly bears.

Watching Nixon Liquidate (Escalate) the War

The President Is the Problem

by Townsend Hoopes

As the first reports of the Laos "incursion" seeped out of Saigon and the Pentagon about February 10, the listless response of the American people seemed to reflect a mood of moral exhaustion, a weariness mixing incredulity with resignation, a profound sense of the futility of trying to influence our Indochina policy. Like several predecessor Presidents, Mr. Nixon had shown himself possessed of the raw power – unrestrained by congressional guidance or public debate – to make events and deepen commitments, leaving the American people and countless others to cope with the open consequences as best they could. He alone bestrode the scene, reducing senators, scholars, journalists and the rest of us to impotence. No reasoned criticism or moral protest made any difference. Senator Fulbright summed it up in one pathetic sentence: "There is nothing we can do."

By February 22, the country seemed to have recovered its morale, its capacity to think and speak out. The news of serious South Vietnamese defeats along Highway 9 showed yet again the egregious quality of Mr. Nixon's strategic and military judgment, and underlined with blinding clarity the fundamental contradictions of his Indochina policy. The President was once again under serious challenge from his critics, and there was in the new confrontation the distinct possibility of a constitutional crisis.

From the sidelines it's now possible to adopt either a sanguine or a grave view of the prospects, with the choice turning almost entirely on how one predicts the shape of political pressures likely to be generated as we approach the 1972 election. The sanguine view proceeds from the belief that, whatever Mr. Nixon may now be doing in Cambodia and Laos, and whatever he may be saying about the need to retain indefinitely a sizeable US "residual" force, political pressures for total withdrawal are in fact growing and by 1972 will prove irresistible. The grave view proceeds from the belief that Mr. Nixon will effectively resist pressures for full withdrawal until conditions in South

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Vietnam have met his requirements for a "just peace" – i.e., the assured survival of a non-Communist government – but that such conditions will again prove unrealizable.

Several pieces of evidence can be mustered to support the sanguine view. For one, the American Army in Vietnam is now beset by a galloping deterioration of discipline and morale – a fact which reflects the pervasive inability of American public opinion to believe that our official war aims are any longer attainable, important, or moral. This creates a political and operational imperative swiftly to reduce total force levels and terminate the US ground combat role, or else suffer the humiliation of an expeditionary force coming apart at the seams. If further large force withdrawals are made over the next twelve months, they will powerfully strengthen the political logic of withdrawing all the way. Conversely, any stretchout will make manifest the reality of a semi-permanent "residual" force. At that point, what is already apparent to many will become a naked truth for all to see – namely, that so long as we insist on the survival and dominance of the Thieu regime, the war will continue in endless stalemate; and that our commitment, our military participation, our inability to recover our prisoners, and the domestic consequences of all of these factors will also continue.

The foregoing are arguments for the hopeful proposition that, in the crunch decisions looming up toward the end of 1971, President Nixon will yield to political reason and the mood of the country, that he will abandon the notion of a "residual" force and will play the card of total withdrawal as a means to a compromise settlement and the recovery of American prisoners. This view is buttressed by the strong possibility that he will face in 1972 a Democratic opponent explicitly pledged to such a position (in late January, the Gallup Poll showed 73 percent of Americans in favor of total withdrawal from Vietnam).

The opposing view is that Mr. Nixon will in the end yield not to political reason, but to his combative instincts, his convictions about the threat of "International Communism," and his concern for the credibility of American commitments elsewhere. This prospect rests on the fundamental perception that he is not a consensus President, but a determined Commander-in-Chief with a strong personal view of what the national interest requires. Compelling evidence indicates that a clear-cut, anti-Communist solution in Vietnam is paramount for Mr. Nixon, and that he is quite prepared to accept further risks of searing domestic division and demoralization in order to go on trying to get it. US military action in Indochina is now bent toward assuring the Thieu regime's survival; at the same time, moderate American troop withdrawals are proceeding. Beyond a certain point, however, American withdrawals must contribute to a net weakening of the allied military position and will then begin to increase the risks to Thieu's survival. The grave view is that, when this critical juncture is reached, Mr. Nixon will shed the present ambiguity and come down hard on the need for an indefinite American military effort in Indochina, no matter what the mood of the country. He came close to doing this in his press conference of February 17.

Support for this view derives from his steady insistence that the Thieu regime, or something very like it, must prevail without participation by Communist elements; it is seen in warnings against American "humiliation and defeat" if the elected Government of South Vietnam should be overthrown, and in his easy resort to impassioned cold war rhetoric (which was so notable a feature of the speech announcing the attacks on the Cambodian sanctuaries last April 30). One must also take note of Mr. Nixon's sense of being constantly under test by the dark powers in Moscow and Peking and of having constantly to prove his toughness. This facet of the President's personality has the effect of raising many international issues to the level of personal challenge. His tactical combativeness is aroused. Through an inability to accept transient setbacks for the sake of larger goals, he is often led into actions which deepen the involvement and harden the commitment, contrary to the judgments of his senior advisors.

For example, it is now clear that many senior American officials (military and civilian, in Washington and Saigon) did not share the President's conclusion last spring that the fall of Prince Sihanouk and the subsequent movement of Communist forces in Cambodia "posed an unacceptable threat to our remaining forces in Vietnam." They discerned neither an increase in the size of enemy forces in Cambodia, nor an increased threat to US forces. They did not believe that strikes into Cambodia were necessary to protect American lives or to maintain the scheduled rate of troop withdrawals. Some advisors did see "opportunities" in striking at the sanctuaries while the Communist forces (unsettled by the coup and by Lon Nol's ultimatum that they depart Cambodia in 72 hours) were moving or facing westward. In fact these opportunities had been seized by the Saigon Army as early as March 20 – just two days after Sihanouk's ouster and nearly six weeks before Mr. Nixon acted. ARVN mounted steadily larger raids from that date until late April – air strikes, armored patrols, and sustained task force operations that penetrated a number of miles into Cambodia and remained for several days; some of these were conducted in coordination with the new Cambodian regime.

The governing factors in Mr. Nixon's decision of April 30 are thus an interesting speculation. Whether he appreciated that the ARVN cross-border operations may well have provoked the Communist forces to move west (in anticipation of a larger US-ARVN attack,

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or to put pressure on the new Cambodian government or the adoption of a less hostile attitude) is not clear. But he appears to have been virtually alone in perceiving this movement as "an unacceptable threat" to remaining US forces in Vietnam, if indeed that was his substantive judgment and not merely the stated reason for the US attacks. From Stewart Alsop's engrossing look at the famous yellow pad calculations on this occasion (*Newsweek*, June 1, 1970), one gains the strong impression that Mr. Nixon's chief concern lay elsewhere. He was disturbed by the prospect that, if neither side moved, an "ambiguous situation" might arise in Cambodia which, by underlining the neutral status of that country, would thereafter inhibit US military actions. It is a fair inference that Mr. Nixon's decision to send US forces against the sanctuaries and to release ARVN for the conduct of much wider operations in Cambodia was aimed at preventing both the restoration of a hitherto unfavorable neutrality and the possibility that Cambodia might "go Communist."

But whether he foresaw the consequences of his act – for Cambodia, for aid to Cambodia, for ARVN, for US airpower – is doubtful. He made a very personal decision, involving the kind of dramatic action and stirring rhetoric appropriate to his chosen role of Global Brinksman. The central question he posed in his later television address of June 3 made clear that he perceived the playing field as much wider and the stakes much higher than Cambodia or even Indochina: "If an American President had failed to meet this threat to 400,000 American men in Vietnam, would those nations and peoples who rely on America's power and treaty commitments for their security – in Latin America, Europe, the Middle East or other parts of Asia – retain any confidence in the United States?"

In the same speech, delivered as American forces were pulling out of the sanctuaries, he described the action in Cambodia as "the most successful operation of this long and very difficult war." By mid-February 1971, close to half of Cambodia had passed out of Cambodian control; the country's productive capacity – embracing rubber plants, cement plants, fertilizer plants, paper mills and rice mills – had been severely damaged by heavy American air strikes and other war operations; roads, railroads, bridges and other communications had been extensively cut. Although the Cambodian armed forces had grown from 35,000 to 165,000, most of the major cities were in enemy hands and the capital remained virtually under siege. All of this had produced a Cambodian budget deficit of $40-million in 1970, and an anticipated shortfall of $400 million in 1971. While the United States continued to disclaim any commitment to uphold the Lon Nol government, its actions steadily belied its words. Initially a few thousand captured Russian rifles and American carbines were quietly provided the Cambodian army; then $100 million in emergency military assistance was transferred from other programs. Then Congress was pressed to vote $250 million of combined military and economic aid in exchange for the Administration's explicit promise that no US ground forces would reenter Cambodia, and its implied judgment that the whole US military effort would be gradually diminished.

In the June 3 speech, Mr. Nixon also stated that "the only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that is necessary to protect the lives and security of our men in South Vietnam." In fact, the American air effort has been dramatically intensified throughout Cambodia, involving not only long-range interdiction, but close support of Cambodian and South Vietnamese troops. The full panoply of tactical air power – reconnaissance, forward air control, fighter bombers, gunships, flareships, medical evacuation, and leaflet drops – has been employed. In the January effort to reopen Route 4 (the highway south from Phnom Penh to the Gulf of Siam), the Administration finally abandoned the pretense of adhering to the President's position, and acknowledged that it was using "intensive air power" in Cambodia, but not of course to support the Lon Nol government! The purpose, as explained by Secretary Laird, was "to protect Americans in South Vietnam . . . to enhance Vietnamization." In his own press conference of February 17, and referring not only to Cambodia, but also to Laos and North Vietnam, Mr. Nixon said that (except for resort to tactical nuclear weapons) "I am not going to place any limitation upon the use of air power." Small wonder that the credibility of his pretensions to a policy of restraint is being steadily lost.

Not even rash optimists now expect that anything conclusive will be achieved in Cambodia. What most see is the making of another quagmire: American airpower committed to endless months of devastating, yet inconclusive destruction of human life and property, and the American treasury to endless years of compensatory economic assistance – all to support a government to which we have no formal commitment of any kind and whose need for support arises chiefly from events precipitated by US-ARVN attacks on the sanctuaries. While the US interest in Cambodia is obscure, the survival of the Lon Nol Government has now become, for practical purposes, intimately linked with the Thieu regime's view of its own security. For this reason, plus the military incompetence of the Cambodians, a major combat role in Cambodia has been thrust upon the ARVN. If long sustained, these operations could lead to a weakening of the security situation in South Vietnam.

The prospect presented by the situation in Laos is, if anything, less encouraging. A fundamental question in the equation – the acid test of Vietnamization – is whether the ARVN will be able to operate more or

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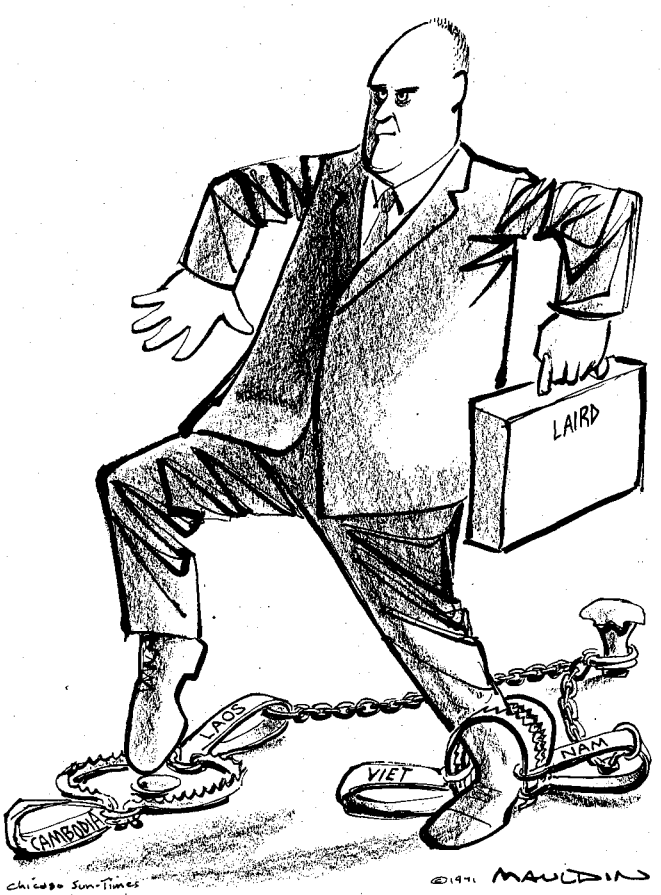
less on its own in the forseeable future. Senior American officials insist there has been some improvement, but one central fact is undeniable: ARVN remains absolutely dependent on the whole panoply of US air, artillery, airlift and technical maintenance support – not only for mobility but for survival. Perhaps 2000 US combat aircraft are committed to the Laos operation. During the first two weeks of fighting, US helicopters flew 10,000 missions across the border (for purposes of troop lift, gunship support, supply, and evacuation). During the same period US fighter bombers flew 7000 strike missions, and B-52 bombers made 420 heavy attacks. Two fundamental conclusions follow: (1) it is difficult to see how large ARVN formations could be logistically supported – or avoid entrapment – if US combat support forces were totally withdrawn, or even if they were reduced much below the level of 150,000-200,000 men; and (2) even the staggering dimensions of the US air-support effort in Laos have not prevented serious ARVN defeats in the mountainous terrain. But given Mr. Nixon's unrelenting commitment to Thieu, the spreading bog does not encourage the hope that US withdrawal from Indochina is imminent.

As analysis elsewhere has shown, there are perilous risks in a course of piecemeal, but partial, US withdrawal. Were reductions to proceed downward to, say, 100,000 men or less, we would face not only the immobilization of ARVN, but also serious dangers for the physical security of the remaining American forces. If the US were to announce a definite timetable for total withdrawal, we could rather heavily discount the Nixon assumption that the other side is eager to humiliate us by terrorist attacks on our troops during embarkation (Ho Chi Minh was once quoted as saying that his side would strew our departing path with roses). On the other hand, if the reality emerges that we intend to provide starch and mobility to the ARVN in perpetuity, then we may be sure Americans will become special targets of enemy violence. At that point might be posed the same hard question we faced in 1965 – to escalate or liquidate. But if such a question were posed in 1971 or 1972, it would have to be decided in an atmosphere of profound war-weariness, disillusionment, and spreading bitterness; any attempt at reescalation might snap the remaining strands of national patience, and produce political tumult. Yet the logic of the Nixon policy is painting us into that kind of corner.



"Those who cannot remember the past are condemned to repeat it," (George Santayana)

The bizarre raid on the prisoner compound at Sontay may also reveal Mr. Nixon's thoughts about the future. It has always been clear that even successful Vietnamization will not bring American prisoners home, for it is a policy aimed not at promoting serious negotiations, but at substituting for them. Only a negotiated settlement (though it could be confined narrowly to the military issues between the United States and North Vietnam) can secure the return of our prisoners. This truth spreads slowly through American opinion. Last September 17, the Vietcong representative in Paris offered to negotiate the prisoner issue immediately following *public announcement* of a definite US timetable for withdrawal.

The Sontay raid can be read as Mr. Nixon's considered reply. Constituting a rejection of the proposal, the raid demonstrated (while seeking to camouflage) the painful truth that Vietnamization holds out no hope for the prisoners. As even the Administration's friends now admit, the raid was largely an exercise in domestic public relations. It aimed at dramatically demonstrating that the Administration was not "standing idly by," but it was in fact designed to bring back few, if any, prisoners. The determining factors in selecting the Sontay site were its accessibility to helicopter assault and the ease with which the attackers could get in and out of the compound. Intelligence gathering to ascertain the presence of prisoners was either very casual, or else the attack was deliberately made on an abandoned compound in order to reduce the operational hazards.

The Administration's oft-stated position on the prisoner issue seems either deluded or disingenuous. On February 17, in another effort to relieve domestic anxiety, Mr. Nixon asserted that so long as North Vietnam holds American POWs, American military

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forces will remain in Vietnam; moreover, that they will remain in sufficient numbers to give the other side "an incentive to release the prisoners." This suggests a belief that US tenacity will at some point break the will of the North Vietnamese and cause them to negotiate on our terms; if the belief is real, it is another manifestation of the prime delusion that the US somehow has more at stake in Vietnam than do the North Vietnamese. On the record of the past ten years, it would be more accurate to reverse the President's proposition, and to say that so long as American forces remain in Vietnam, North Vietnam will continue to hold American POWs. On the other hand, the President may fully understand this, and may be using the prisoner issue as merely another justification for perpetuating American involvement in the war.

In a wider context, further evidence against the sanguine view of an orderly letting-go in Indochina is the developing perception that the Nixon Doctrine is a rather elaborate camouflage for the determined pursuit of old policies. Widely advertised as the promise of a lower US profile in Asia, it appears to perpetuate the confrontation with China by other means. As a concession to the current mood in America, the doctrine calls for a reduction of US military deployments in Asia. But it seeks to compensate for this, in part by efforts to strengthen the military establishments of pygmy states on the fringes of China, and in part by reaffirmation of every existing US commitment in the region. Public statements have stressed our intention to transfer the major burden of deterrence and defense to local states; the statements have conspicuously failed to acknowledge the inherent incapacity of those small, weak, divided countries to "contain" a China whose continued hostility will have been assured by unrelenting American efforts to maintain them in an anti-China posture (including a steady flow of arms and military advice).

The Nixon Doctrine thus contains serious contradictions. Domestically, it fosters the notion of noninvolvement in future Asian wars; at the same time, it rejects the inevitable corollary – which is retreat from insistence on US paramountcy in every corner of Asia, and a basic move toward accommodation with China. The notion that, under the doctrine, the United States will henceforth remain aloof from Asian conflicts is thus seen to be a myth, for US involvement will flow directly from the Administration's plan to lock insubstantial fringe states into position of permanent tension and hostility toward China, and then to back them up when that impossible mission proves beyond their strength. Secretary Laird has now made clear that the unfettered use of airpower in Cambodia is one application of the Nixon Doctrine. The President has now added Laos and North Vietnam to those areas where he feels free to use this instrument without limit and without further congressional consultation or public debate.

Beyond some finite point, progressive troop withdrawals and the promise of more to come cannot be reconciled with an unlimited commitment to a South Vietnamese regime which seeks a clear-cut military solution. But the contradictions may be more apparent than real, for Mr. Nixon's insistent definition of a "just peace" is really a euphemism for a military solution. Indeed the only real question for the Administration may be the particular mix of US and ARVN forces, and the amount of time required to achieve it – that is, to defeat all resistance in South Vietnam and thereafter enable the Thieu regime to govern the country in a tolerable state of civil order. No doubt, Mr. Nixon hopes that Thieu and the ARVN can do the lion's share, and soon, but he seems quite determined to maintain powerful American forces in Indochina for an indefinite period, if that is necessary to guarantee an undiluted non-Communist solution. Presumably he judges the political risks of this course to be high, but manageable.

Up to now they have proved manageable. Those who oppose his policy and seek to resolve the issue through scheduled withdrawal and compromise negotiation are not so much in intellectual disarray as they are simply overwhelmed by the sheer power and momentum of the Presidency. They are not isolationists or proponents of a Communist victory; neither are they unilateral disarmers, summer soldiers nor defeatists. They have made a considered judgment, based on long and painful experience, that the tragic American involvement in Indochina has been based (probably from the beginning, certainly from 1965) on fundamental misconceptions of what was necessary, possible, moral or important for our security interests. They are convinced that these profound mistakes must be acknowledged, and the acknowledgment translated into clarifying action, before the US Government and the American people can once again think constructively and sensibly about foreign policy and the American role in the world. They are absolutely convinced that further military efforts to "win" in Southeast Asia can only increase our national frustration and delay the inevitable reappraisal and adjustment of our general position. Delay has already constricted responsible choice; more of it will imperil American leadership elsewhere in the world and could destroy our society at home.

Two weeks ago, such judgments seemed entirely academic. And they are still no match for the President's power of initiative, his control of the war machine, his capacity to manipulate information and events under the inherently fluid and confusing conditions of the war. But public opposition is stirring again. The contradictions of the President's policy are too glaring to conceal. You cannot fool all of the people all of the time.

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Stanley Kauffmann on theater

Subject to Fits

(Public Theater)

The Trial of the Catonsville Nine

(Good Shepherd-Faith Church)

Robert Montgomery, the author of *Subject to Fits*, and A. J. Antoon, the director, were in courses of mine last year at the Yale Drama School. I mention this to declare my interests, which are warm, not to claim them as students in any substantive way, which I wish I *could* do because of the quality of this production. With a scene design by Leo Yoshimura (like Montgomery, still at Yale), *Subject to Fits* marks the professional debuts of three potentially significant talents.

Montgomery began with Dostoyevsky's *The Idiot*, but as his program note makes clear, his play is not a dramatization, it's a "response" to the novel – "smacking of *The Idiot*, dreaming of *The Idiot*, but mostly taking off from where *The Idiot* drove it." That statement itself, altesting a life born of essence and dream and compulsion, highlights the best elements in the play, its fantasy and flickering fires. I suppose that, in a highly synoptic manner, the play conveys the novel's story, but the dialogue (there are exactly three lines from the book in the play), the sequence, the emphases and distortions, the occasional songs and incidental music – which Montgomery wrote himself – all summarize what the novel did to him.

The first thing we see is a quick flash of Prince Myshkin sitting cross-legged on a platform. He smiles, brays like a donkey, and the play begins. With a cast of nine, Montgomery then gives us his crazy-mirror vision of the epileptic prince who has "seen an execution," who returns from abroad to Russia and, in its society, dares to be good, who has sentenced himself to Christianity. Because of his epilepsy, he lives always on the edge of blinding moments of serenity, which are a sign that he is about to plunge into fits of animalistic groveling. His disease – an epitome of the range of human possibility – helps create values in him that embarrass, anger, fascinate, humiliate others. The play ends with Myshkin back on the platform, cross-legged again, this time seated inside a glass cube.

Montgomery's purpose is to put Dostoyevsky's theme through the mind of a young Christian today, to trace the question of possible good, expressing through the texture of the play, through the music, through the *fact* of the songs and the distortions, the modernity of his inquiry. Near the end comes the line: "It's really what we don't know that gives us a perfect reason to go on living." In his whirling-prism way, the play moves toward the consolations of that mystery.

Can it be understood by those who haven't read *The Idiot*? My first response is, What if it can't? Why can't there be a play once in a while for people who *have* read books like *The Idiot*? But I think that any viewer can understand the play's inner consistencies and tensions and will feel – possibly from the mere knowledge of its origin – some of the novel's resonance. (As with the opening donkey bray, for example, which is rooted in the book but not literally explained here.)

In its nature the play is exploratory, not steadily cumulative. Its big moments – such as the burning of the money, Ippolit's bungled suicide, Rogozhin and Myshkin over Natasha's body – are attempts at epiphany, not dramatic climax. The play examines states of being that are in contrast but not in theatrical conflict. This is a difficult mode to sustain in the theater, once all the combinations and harmonics have been sounded, and it's not fully sustained here. One mechanical matter that hurts the play is the intermission; to have the audience go out and chat and come back and then resume is more of a burden than this mood structure can easily bear. And with the latter portions condensed, the play would run ahead of our familiarity with its method. The chess and card games with Aglaya, for instance, add little. I felt some strain to keep the play off the ground between the beginning of the second act and Natasha's murder. If, unimpeded by a break, the play ran a direct hour and a half, it would have no chance to sag or to invite comparison with traditional plays; and it would sustain to the end the feeling of the first half – that this is possibly not going to be a play at all, that we are sitting before a pit in which imagination is blazing.

A. J. Antoon's direction shows lovely, strong gifts for using the stage (and is aided by Ian Calderon's fine lighting). But there's something more, something primary. The French Catholic film director Robert Bresson triumphs, in his best work, because we feel that he has infused his actors with a spiritual state. Bresson spent every Sunday for a year talking with the leading actor in *Diary of a Country Priest* before they began work. Antoon had no year, but it's this sense of communicated spirit that I got from his cast, and the sense that he has a spirit to communicate. The actors are mostly adequate, but he has lifted them – particularly Andy Robinson, the Myshkin – into otherness, into largeness.

Leo Yoshimura's setting could hardly be more simple or more helpful. A huge fantastic dim portrait of a haunted face hangs on the back wall. Before it there is a small arrangement of platforms and steps, with rods sticking up at the angles. The rods apportion space for us vertically, the platforms fragment horizontal space just sufficiently to provide "places" and enrichment. I've rarely seen so restrained an effort that resulted in a set begging to be *acted* on, which is one attribute of good design.

By coincidence we now have in New York a play about some Americans who are spiritually related to Myshkin. *The Trial of the Catonsville Nine* deals with the nine Catholics who burned draft records in Maryland in 1968, in protest against the Vietnam war, and were sentenced to prison. [See "Bearing the Burden of the Berrigan Brothers," by Edward Duff, page 18.] The script was taken from the trial transcript and was woven with some other statements of the nine, by one of them, Father Daniel Berrigan. The play was first presented at the Mark Taper Forum in Los Angeles, and since then Saul Levitt has reportedly done some work on the script.

In New York it's being presented in a church. The events involve nine re-

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igious resisters of the war, two of them riests, who have served or are still erving prison sentences. (Except for ne who was killed in a car accident.) In short, the whole occasion seems rranged in advance to put one's back p; I hate having my heart tugged.

But there was no tugging, no pat eliance on my subscription. I was horoughly moved. In large measure he effect is due to the material, which s generally succinct, nothing in it of vert, grabby appeal. Partly the effect s due to Gordon Davidson's direction, which keeps the whole performance luent, genuine, oblique. There are no races of theatricality, barring two elements. I think it a mistake to select nembers of the audience to sit in the ury box: first, because it is a literal ouch in a suggestive production; econd, because the verdict is known n advance and if the play is any good t all, it should be having just the pposite effect on the audience-jury. And I think the final film-clip – of the ctual burning and arrest – is a mistake: it protracts the play, which is by hen factually and emotionally comlete, and it forces literal comparisons vith the actors who played the parts.

Partly the play's success comes from n impression of foreknowledge. We ear words that were spoken three ears ago in life, and the conviction rows in us that all the participants, ncluding the judge, had a solemn ense of *performance*, as if they were rystallizing a spiritual dilemma so hat the crystal could be looked at gain and again. With recent trial plays bout Oppenheimer and Auschwitz efendants and others, there was the eeling that a play had been *made* of he events. Here the feeling is that he event itself was a drama, and that vhat we are seeing is simply its natural ontinuum, its destiny.

All through it, too, I felt something hat, as I discovered later, William loane Coffin had already said of the errigan brothers:

> The Berrigans are very traditional, conservative men. They are conserving the fire of the Holy Spirit, they are conserving the pure message of the Gospel.

The radicalism of all nine defendants onsists not of new ideas but of insistence on old ones – the originating ones in Christianity – which the Church, along with the rest of the

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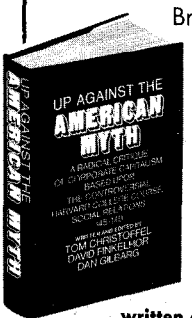

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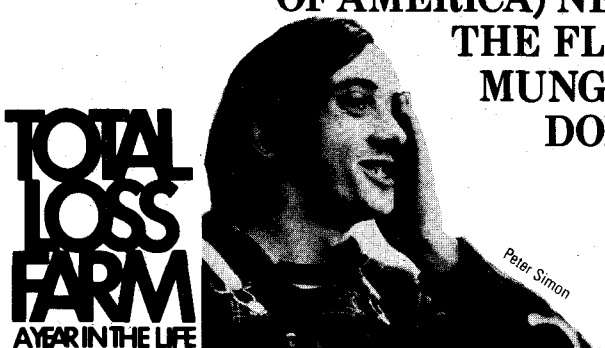

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world has long since compromised. Yet even this radically simple truth is not presented simplistically, with an air that it's easy or that those who follow it are noble. In essence, these defendants were condemned by their commitment, pure as it is, just as the rest of us are condemned by our reason, sound as we may find it to be.

One final fact, which I certainly don't intend as a neat closing irony. Its meanings are too vast and dark. On the day when this play opened in New York, the United States, using South Vietnamese forces, invaded Laos.

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A Communication

Filibusters

Article I, Section 5 of the Constitution provides: "Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member." This provision makes clear that the Founding Fathers intended that each House – and in this respect they made no distinction between the Upper House and the Lower House – should have the right to determine its own rules of procedure by a majority vote of those present and voting. When they required a greater vote, they invariably expressly so provided, as they did in this self-same provision for the expulsion of a member.

Any limitation on the right of a majority of each House to determine its own rules of procedure affecting orderly debate and the due dispatch of business cannot be ascribed to the men who wrote our Constitution. The filibuster was not the invention of the Founding Fathers.

It is surprising to find *The New Republic* lined up in support of Senate rules which permit a small minority after prolonged debate to continue to speak on indefinitely to prevent a publicly recorded vote. True, as *The New Republic* avers, liberals have used the filibuster on memorable occasions for good purposes. But more commonly it has been used to block much-needed progress and the present rule requiring a two-thirds vote for cloture has in practice been found to be an illusory check on such incontinent use of the filibuster.

There is, of course, no assurance that in the political arena the voice of the majority is the voice of God. There is even less assurance that the voice of a small minority is the voice of prudence. Even 22 years ago when Walter Lippmann wrote in support of the filibuster that "the American idea of a democratic decision has always been that important minorities must not be coerced," he failed to take into account that the claim of the Southern minority not to be coerced was tantamount to a claim on their part to coerce, and to deny equal rights to, the deprived and disenfranchised black minority. Indeed, in a pluralistic nation such as ours there is no reason to suspect that a simple majority vote in the Senate will not be as sensitive, if not more sensitive, to the varied claims of the different important minorities among us than a small minority representing only a single parochial or special interest group.

The New Republic argues that "the filibuster has the virtue at its best of giving the majority pause without necessarily stopping it, and of testing its intensity against that of the minority." But that is putting a very idealistic gloss over the evils of the filibuster. More often than not the purpose of a filibuster is not to induce a pause, not to allow reasonable time for reflection, but to stop an important measure from being considered and voted up or down as is or as amended, to kill the measure without any publicly recorded vote on

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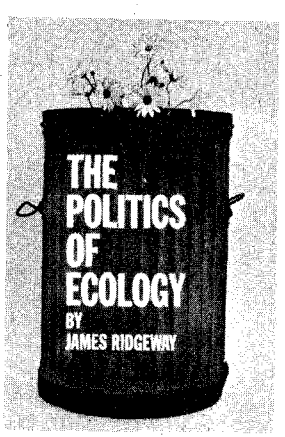

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ts merits for which each senator would ıave to answer to his constituents. For hat reason senators may prefer to vote or unlimited debate than to vote on the nerits of extremely important but ighly controversial legislation.

The New Republic recalls a few fili-usters conducted by liberals for very ood purposes, but it passes over the erennial filibusters and their evil con-equences. For many decades Congress ailed to take effective measures to rotect and defend the civil rights of lack people under the Fourteenth and ifteenth Amendments. Session after ession the House would pass (or stand eady to pass) civil rights legislation, ome of it well-conceived and possibly ome of it not so well-conceived. What did it matter? The filibuster or threat thereof would safely bury it in the Senate. The filibuster gave not time for reflection and reconciliation, but decades of "benign neglect" which only polarized opinion and acerbated racial antagonisms. Even after the Supreme Court began to intervene and a memo-able but watered-down civil rights measure was at long last passed with-out the challenge of a filibuster, the fear of a filibuster continued to delay for another seven years effective fed-eral legislation to facilitate the desegre-gation of the schools ordered by the Court. As the Dred Scott decision tragically obstructed congressional ef-forts to find a peaceful solution to the slavery question in the critical years before the Civil War, so has the fili-buster in our times disastrously ob-structed timely congressional efforts to move towards a peaceful settlement of our racial relations.

But the filibuster is not only a matter affecting civil rights and past history. It may, if not curbed, become even a greater threat to the effective function-ing of the Senate in the future. We live in a rapidly changing and increasingly complex and interdependent world. The tasks and responsibilities of govern-ment have increased enormously. Our people, their welfare and livelihoods have become dependent on government action. It can no longer be assumed that the risks of delay and inaction are less grave, less detrimental to the security and welfare of the nation than the risks of action, of action with all deliberate speed.

It is even more dangerous today than in years past to allow a small minority to block, without even reaching a vote on the merits, action to meet an emer-

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gent crisis. The blocking by filibuster of the consideration of a proposed constitutional amendment to correct deficiencies in our anachronistic Presidential electoral system at the last session of Congress may have disastrous consequences next year or in the years to come. The time to curb the unfettered power of a small minority to prevent by filibuster a publicly recorded vote on important legislation is now.

Benjamin V. Cohen
Joseph L. Rauh, Jr.
Washington, DC

Correction

The article, *Biological Tyranny* (February 27), by Warren M. Hern, MD, contained an important typographical error. The proportion of OEO family planning clinics wanting to provide sterilization as part of their services is not eight, but eighty (80) percent.

The Editors

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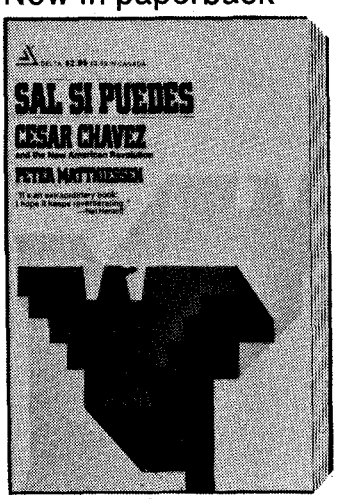

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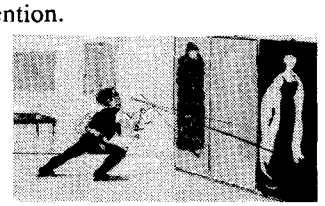
1. Diagnosing peak intellectual activity periods: This is a rarely used temperature test which can precisely identify the time of day which makes for optimum comprehension, retention, and conceptual grasp. It also differentiates times of day best for intellectual performance and times best for rote retention.



2. Compensating for defective schools: There is too much bad teaching, too much teaching methodology inappropriate to the individual child and young adult. When you can't change schools, what do you do? Clear, easy to use diagnostic tests and step-by-step instructions on how to repair damage and increase learning efficiency.

3. Providing infants with Intelligence Maximization: At last, it has been demonstrated that the first months of infancy can minimize or maximize intelligence development. What do you do? What are the clear instructions

which govern parental behavior, the infant environment, the language and message systems which potentiate the infant?

4. Answering the Hunger for Continuing Education: Lists of books are all well and good. But how do you design an authoritative program—better than what is generally available in universities or colleges with continuing education programs? What about new forms of reading skills? What about professional self-testing?

5. The Answer to School Drop-Outs: There has been too much sermonizing and too many generalities. The latest studies agree on the need for diagnosis, short-term motivation techniques, the development of better learning skills. The techniques are reasonably simple—once the problem is identified.

6. New Skills Acquisition in the Middle Years: The problem is not one of learning—but relearning. Remarkable techniques have been available for many years—had somebody cared to put them in such form that anybody could apply them. That form now exists!

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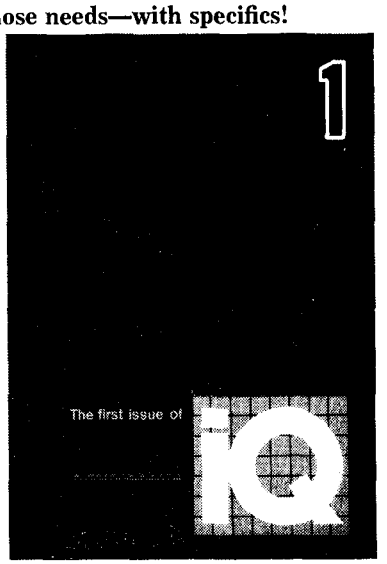

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It's little wonder that our children know more about the world than most of us did when we were their age.

How many of us saw the Land of Quaking Earth? Or the Lost World of the Mayas? Or the Pink Treasure of Baharini?

In the next two months, television will carry our children off to exotic and out-of-the- way parts of the world. They'll learn about events and places, both far away and close to home, that may shape their lives.

So that you won't be left behind, here's a listing of such programs—and others of interest—during March and April.

Discovery. Hawaii: Land of Volcanoes; Exploring the Valley of Mexico; Lost World of the Mayas; Sponge Fishermen; Thailand: The River People; New Zealand; Nature's Adaptations; Ireland. Sundays, Mar. 7, 14, 21, 28; April 4, 11, 18, 25 (11:30 am-12 noon).

John and Julie. CBS Children's Film Festival—English boy and girl traveling to Queen's coronation. Sunday, Mar. 7 (4:30-6 pm).

Wild Kingdom. Land of Quaking Earth; Trail of the Moose; Return of Sea Cows. Sundays, Mar. 7, 14, 21 (7-7:30 pm).

Mission Possible. They Care for a City; They Care for the Land; They Care for the Nation. Tuesday, Wednesday, Thursday, Mar. 9, 10, 11 (7-8 pm).

Dr. Seuss' The Cat in the Hat. The mischievous word-teaching Cat. Wednesday, Mar. 10 (7:30-8 pm).

Animal World. Trapper of the Amazon; Pink Treasure of Baharini; Sanctuary under Siege; Life in Death Valley; Looney Gooney Birds; A Last Refuge. Sundays, Mar. 14, 21, 28; April 11, 18, 25 (5:30-6 pm).

Born Free. Story of lioness raised among humans. Sunday, Mar. 14 (7-9 pm).

Burt Bacharach Special. Bacharach's music with Barbra Streisand, Tom Jones, Rudolph Nureyev. Sunday, Mar. 14 (9-10 pm).

Secret of the Sunken Caves. Undersea World of Jacques Cousteau. Friday, Mar. 19 (7:30-8:30 pm).

Winnie the Pooh and the Honey Tree. A. A. Milne's classic for children. Monday, Mar. 22 (7:30-8 pm).

Jane Eyre. Brontë dramatized, with George C. Scott, Susannah York, others. Wednesday, Mar. 24 (9-11 pm).

Gideon. Hallmark Hall of Fame—Drama by Paddy Chayefsky starring Peter Ustinov, Jose Ferrer, Eric Christmas, others. Friday, Mar. 26 (8:30-10 pm).

NBC Children's Theater. Program on narcotics; Program on White House youth. Saturdays, Mar. 27 (12 noon-1 pm); April 24 (10-11 am).

Play it Again, Charlie Brown. Charlie, Lucy, Schroeder and Beethoven. Sunday, Mar. 28 (7-7:30 pm).

Tony Awards. Honoring legitimate theater's best. Sunday, Mar. 28 (9-11 pm).

Scotland Yard. Literal inside story of British police unit. Tuesday, Mar. 30 (8-9 pm).

The Record Makers. Record-setters from space to sports. Friday, April 2 (7:30-8:30 pm).

Thus Spake Richard Strauss. New York Philharmonic Young People's Concert—Bernstein conducts *Zarathustra*. Sunday, April 4 (5-6 pm).

Peter Cottontail. Animated Easter show, with Danny Kaye. Sun., April 4 (7-8 pm).

National Opinion Poll: What Americans Think. Results of survey of American opinion in areas of great public concern. Sunday, April 4 (10-11 pm).

Journey to the High Arctic. National Geographic exploration of polar seas, animals. Tuesday, April 13 (7:30-8:30 pm).

Academy Awards. 43rd annual Oscars presentation. Thursday, April 15 (10 pm-conclusion).

David Copperfield. Dickens' classic with Olivier, Richardson, Redgrave, Attenborough, Williams, Wendy Hiller, others. Wednesday, April 21 (9-11 pm).

Childhood: The Enchanted Years. Children from infancy to school age. Thursday, April 22 (7:30-8:30 pm).

Heifetz. Violinist in concert with French National Orchestra. Friday, April 23 (10-11 pm).

REGULARLY SCHEDULED PROGRAMS

Monday through Friday: Sunrise Semester/The Today Show/Captain Kangaroo/Sesame Street/Misterogers' Neighborhood

Tuesday: First Tuesday (appearing first Tuesday each month)/CBS Reports/ 60 Minutes

Saturday: In the Know/Pop-Up/The Reluctant Dragon and Mr. Toad/The Tomfoolery Show/Hot Dog/ABC's Wide World of Sports

Sunday: Lamp Unto My Feet/Look Up And Live/Camera Three/Bullwinkle/ Discovery/Face the Nation/Meet the Press/Directions/Issues and Answers/ Animal World/Comment!/Wild Kingdom/ The Wonderful World of Disney

Note: This is, necessarily, a partial listing. Time (NYT), titles and casts of these national programs are subject to change. Please consult your station listings; check also for noteworthy local programs.

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